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MASTER OF MILITARY STUDIES

RELIGION AND THE MILITARY: A BALANCED APPROACH


Understanding Naval Chaplaincy
Through the Lens of Recent Department of the Navy Religious Ministry Policies

SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF MILITARY STUDIES

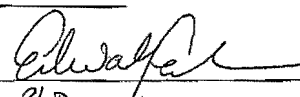
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Executive Summary

Title: Religion and the Military: A Balanced Approach

Understanding Naval Chaplaincy through the Lens of Recent Department of the Navy Religious Ministry Policies

Author: Lieutenant Commander John A. Kalantzis, United States Navy Chaplain Corps

Thesis: Products of the Navy Chaplain Corps' strategic planning process and recently published DON policies on religious ministry represent a balanced approach to the government's Constitutional responsibilities with regard to religion.

Discussion: New Department of the Navy policies on religious ministry, religious accommodation, chaplain confidentiality, and advisement, reflecting important American values, represent a balanced approach to the government's Constitutional responsibilities with regard to religion. They are the result of the Navy Chaplain Corps' application of the Navy Performance Excellence Guidebook, which produced the Department of the Navy Strategic Plan for Religious Ministry, 2008-13. The Strategic Plan articulated principles and goals which yielded the new policies. These policies reflect an appropriate, albeit delicate, Constitutional balance between the religious needs of Service members, the responsibilities of commanders, and the calling of chaplains. They seek to balance the rights and needs of Service members with the requirements of the Services. These policies also reflect counterpoised trends of uniformity and diversity in military culture which exist in complex relationship with the larger society. Chaplaincy as understood in the international law of armed conflict is militarily essential. It is necessary to articulate clear boundaries for the advisory activities of chaplains, balancing the availability of their expertise to the command with preservation of their noncombatant status. SECNAVINST 1730.10 *Chaplain Advisement and Liaison* lays out a system for identifying boundaries for advisement. The chaplain balances the roles of staff officer and religious ministry professional, the needs of the command and the individual. Chaplain capabilities are defined in SECNAVINST 1730.7D *Religious Ministry in the Department of the Navy*. SECNAVINST 1730.9 *Chaplain Confidentiality* for the first time defines in policy this key characteristic of chaplaincy. In matters of personnel policy, civilian leaders have historically balanced the cohesion of the military with the health of the society. SECNAVINST 1730.8B *Religious Accommodation* articulates a comprehensive institutional intent.

Conclusion: The new policies of the DON articulate a comprehensive, logically consistent, constitutionally grounded approach to religion in the military, protecting and empowering Service members, their chaplains and commanders. They present clear and necessary boundaries for the activities of chaplains in order to preserve constitutionality and retain their noncombatant status. These policies represent a balanced approach which will shape the military's accommodation of religion and the role of chaplains in the 21st century.

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THE OPINIONS AND CONCLUSIONS EXPRESSED HEREIN ARE THOSE OF THE INDIVIDUAL STUDENT AUTHOR AND DO NOT NECESSARILY REPRESENT THE VIEWS OF EITHER THE MARINE CORPS COMMAND AND STAFF COLLEGE OR ANY OTHER GOVERNMENTAL AGENCY. REFERENCES TO THIS STUDY SHOULD INCLUDE THE FOREGOING STATEMENT.

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Preface

This paper, while representing partial fulfillment of an academic requirement, is also a labor of love. Having had the honor of serving God and country as a naval chaplain, I am still awed by the daring experiment. Who would dare suggest that the institution of chaplaincy, so iconic of American aspirations, yet so susceptible to legal challenge, might endure? In an era when religion has been so violently politicized, it seems prudent to understand how and why our delicate system functions as it does, lest we unwittingly disrupt the balance.

This paper is a discussion of an important aspect of American life as it plays out in the military setting. My thoughts on the matter have been shaped by what I consider to be a great blessing: association with some of the most dedicated and gifted men and women of God I have ever known, with whom I worked in the Office of the Chief of Navy Chaplains. They know who they are. One senior chaplain in particular has been a mentor and guide to me throughout my service. He has my respect and gratitude. I have also benefitted immensely from the experience of post-graduate work at Marine Corps Command and Staff College. The caliber of men and women who teach and study there is, for me, an inspiration and strong source of hope for the future. Whatever good has come from this effort is a result of these positive influences and the loving support of my wife and sons. The flaws are definitely my own.

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Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

— *The First Amendment to the U.S. Constitution*

Introduction

Americans often summarize the complex set of Constitutional requirements regarding religion by using the phrase “separation of church and state.” Unpacking the meaning of this phrase is a task for the generations. As each succeeding generation gives life to the dream of freedom envisioned in the Constitution and Bill of Rights the particulars of the orientation of the state toward religion are further elucidated. This takes place across a wide range of issues, in a number of different venues. The Constitution prohibits Congress from establishing religion while at the same time forbidding constraint of the free exercise of religion.¹ The legislative and judicial effort to maintain a balance in civil society between those two requirements has been a fruitful source of disagreement and litigation throughout American history.

The balancing act takes on a whole new set of challenges when the venue is the U.S. military. For their part, the Sea Services are committed to the religious support of Service members through the chaplaincy. As the Commandant of the Marine Corps, GEN Conway wrote:

Marines and Sailors in combat are our number one priority. It is through their tremendous sacrifices and those of their fellow service men and women that we will ultimately prevail in this Long War. The support we provide them must be world-class, and our Chaplain Corps is an integral part of this.²

Following a briefing on the Chaplain Corps’ plans, the Chief of Naval Operations, Admiral Roughead wrote:

I am committed to the welfare of our Sailors and their families who are making the sacrifices necessary to win the Global War on Terrorism. The vision and mission statement of the Chaplain Corps align perfectly with my own.³

Secretary of the Navy Donald Winter affirmed departmental intent when he wrote:

One of my top priorities is the welfare of the Marines and Sailors who are making the sacrifices necessary for our victory in the Long War. Chaplains are present in all of my areas of responsibility. It is imperative that the Navy Chaplain Corps (CHC) be aligned and integrated with my plans to support our people. My intent for RELMIN in the Department is captured in the DON Strategic Plan for Religious Ministry FY08- 13 and in the changes you have been effecting throughout the CHC and Religious Program Specialist (RP) Community.⁴

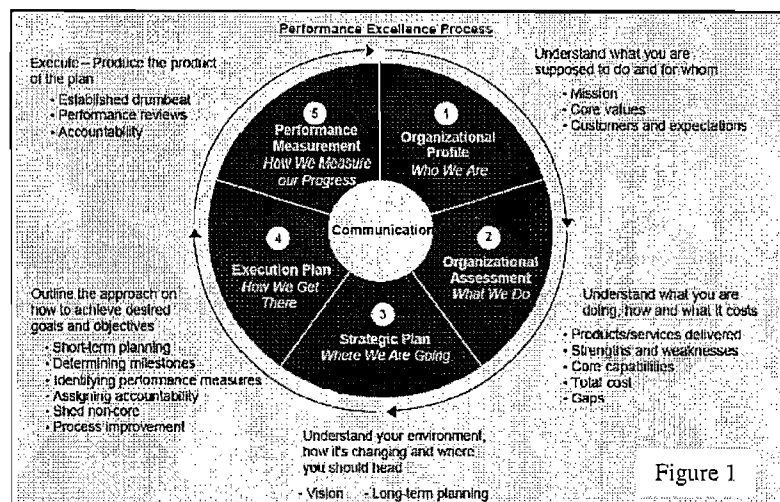
Such support notwithstanding, while the presence of chaplains in the American military predates the Constitution, that presence has not been without controversy.⁵ Four different perspectives have coalesced. There are those who emphasize the importance of the non-establishment clause in the First Amendment, and who would applaud the complete abolition of uniformed military chaplaincy on the grounds that it represents establishment of religion by the state.⁶ Others would use the military chaplaincy as a bully pulpit from which to evangelize military personnel, and support all measures to strengthen and protect the rights of chaplains to proselytize.⁷ Still others believe that an ecumenical approach to chaplaincy would sufficiently accommodate the religious needs of members, so that all that is needed is a non-denominational, nonsectarian approach.⁸ Finally, there are those who understand there to be an appropriate, albeit delicate, Constitutional balance between the religious needs of Service members, the responsibilities of commanders, and the calling of chaplains.

The balanced approach respects religious differences, as well as the absence of religious belief among Service members. It recognizes the importance of religion in the lives of many Service members and the role of faith and spirituality in the larger society. It acknowledges the

unique challenges of military life and the practical impediments to religious freedom imposed due to the very nature of military service. Respecting the reality of military necessity, it seeks to position the Department to respond to religious needs while empowering the force to succeed in its mission. SECNAVINST 1730.7D *Religious Ministry in the Department of the Navy* (Appendix F), SECNAVINST 1730.8B *Religious Accommodation* (Appendix G), SECNAVINST 1730.9 *Chaplain Confidentiality* (Appendix H), and SECNAVINST 1730.10 *Chaplain Advisement and Liaison* (Appendix I) articulate a comprehensive, logically consistent, Constitutionally grounded, balanced approach to religion in the military. This paper will seek to identify in Department of the Navy (DON) policies and in the DON Strategic Plan for Religious Ministry, 2008-13, the articulation of that balanced approach. Products of the Navy Chaplain Corps' strategic planning process and recently published DON policies on religious ministry, reflecting important American values, represent a balanced approach to the government's Constitutional responsibilities with regard to religion.

The Strategic Plan

The foundation of the recently published series of DON policies on religion is the DON Strategic Plan for Religious Ministry, 2008-13 (hereafter referred to as the Strategic Plan).⁹ The Strategic Plan was the fruit of the application by the Navy Chaplain Corps (CHC) of the Navy



Performance Excellence Guidebook (NPEG).¹⁰ The NPEG was part of then Chief of Naval Operations (CNO) Admiral Mike Mullen's drive to encourage adoption of strategic planning as a key process across the Navy. The NPEG is a management tool designed to facilitate change by providing an iterative process which identifies organizational characteristics and status, goals, change strategies, and performance measurement tools (see figure 1).¹¹ The application of the NPEG resulted in the development of the Strategic Plan. The iterative process which produced the Strategic Plan is ongoing, as is the articulation of the vision it presents. The Strategic Plan was endorsed by the Secretary of the Navy, the CNO, and the Commandant of the Marine Corps (see Appendices B, C, and D).

The purpose of the Strategic Plan is to serve as the organizing rubric for all religious ministry in the DON. It aligns the CHC with the DON structurally and procedurally, through derived policy and doctrine, for planning and execution. It is the foundation upon which all command religious programs (CRPs) are to be built. It is the continuity of effort for all religious ministry personnel. All activities, programs, and initiatives carried out under the heading of religious ministry, delivered by chaplains and/or Religious Program Specialists (RPs), in any way included in CRPs, come under the guiding authority of the Strategic Plan, through the policies generated for its execution. More than that, it is a framework for understanding those efforts as part of the DON's service to the nation.

The Nature of Military Ministry

The Strategic Plan contains the following religious ministry vision statement: "Mission-ready Sailors, Marines, and their families, demonstrating spiritual, moral, and ethical maturity, supported by the innovative delivery of religious ministry and compassionate pastoral care."¹²

That the vision statement begins with the military mission is indicative of the fundamental difference between military and civilian ministry. Religious ministry in the military is institutional in character, that is to say, defined in terms of the unique challenges, opportunities, limitations, and empowerments which are inherent characteristics of the environment in which it takes place. As such, military ministry takes place according to law and policy, which outline, describe, and require its delivery. It is in those laws and policies that the responsibilities, boundaries, and protections of chaplain activity are found. It is in those laws and policies that the various balances inherent in efforts to meet command and individual religious requirements are struck.

A clear recognition of the institutional character of military ministry is the starting point of the Strategic Plan. Derived from that starting point are four guiding principles for leadership, management, and delivery of ministry:

- Promote the spiritual well-being of Sailors, Marines, and their families, in accordance with the first amendment, by respecting and accommodating their diverse religious requirements.
- Demonstrate spiritual and moral integrity.
- Model and teach that every person should be treated with human dignity.
- Project Professionalism and Accountability.¹³

While seemingly self-evident, these principles lay the groundwork for the promulgation of DON policies with regard to chaplain professionalism, behavior, ethics, boundaries, and accountability. Without such policies, the effort to balance the requirements of ministry with those of the military is individualized and therefore inconsistent. Ultimately, such disorder is detrimental to effectiveness, efficiency, and discipline. As organizing foci for the efforts of the CHC, the Strategic Plan identifies four goals:

Goal 1: Fulfill the religious ministry needs of those served - To achieve this goal, the CHC will strive to understand and articulate the current and future needs of the individuals and communities it is directed to serve. Continuous review and adaptation of service and delivery models is required in order to best meet those needs.

Goal 2: Sustain healthy active-duty and reserve component chaplain and RP communities – This goal requires an understanding of the full range of current and future manpower issues. A healthy and diverse community can best provide the range of skills and abilities required to meet the needs of Sailors, Marines and their families, as well as develop future community leadership.

Goal 3: Measure and report performance in a transparent manner - The CHC will develop meaningful measures and metrics. It will continuously assess and report its performance, both internally and externally, in the areas of process, programs, personnel, service, and value.

Goal 4: Communicate CHC value to all stakeholders - The CHC will clearly, thoughtfully, and intentionally communicate its value in a manner meaningful to each of the communities it serves.¹⁴

Goals 1 and 2 are of the most interest here. Each of the Goals has generated policies and procedures which will be referenced throughout the remainder of this paper.

Fundamental to the understanding of chaplaincy, and implicit in Goal 1 of the Strategic Plan, is the realization that ministry in the military is not the same as civilian ministry. It is not simply ministry that happens to take place on a military base, or among military members. The military venue is a total setting in that the lives of members are impacted across the board in subtle and profound ways. From groceries to medical care to housing, almost every facet of the lives of Service members is influenced by the military milieu. This reality intersects with the subject of religion when the military stamp placed on life for individual members is such that the religious freedom they would normally enjoy as civilians is impinged upon. As was stated in an early draft of the SECNAVINST 1730.7D,

Religion and spirituality are integral and important facets of life for many citizens, service members, and their families. Inherent in military service are unique characteristics and challenges for those who serve, and for their families. The DON has a moral, ethical and pragmatic responsibility to provide reasonable remedies and resources.

The DON maintains the Navy Chaplain Corps to address the spiritual challenges of military service. The Navy Chaplain Corps exists to accommodate the religious requirements of service members, their families, and other authorized personnel through an organic participation in military life. Uniformed military chaplaincy is a militarily essential element in fulfilling the government's responsibility to those who serve.¹⁵

Put another way, military life places certain burdens on members. To the extent that the Services can mitigate those burdens, it behooves them to do so.

One might reasonably ask why the Services have such a burden. After all, the U.S. military is an all-volunteer force, the members of which are compensated in many ways for serving: salary, medical benefits, retirement, commissary privileges, etc. While it is true that military members are volunteers, and that they should know what they are getting into before they join, it can also be said that a society is liable to judgment for the way it treats those who serve. Certainly, Americans would readily claim that public service is part of the American ethos, that Americans honor those who serve, and that it is only appropriate for Americans to do so, given the national character. So if it is the case that Americans genuinely wish to honor those who serve, then it follows that their government should seek to ameliorate any unique burdens placed on Service members by virtue of their service. Thus, it follows that if service impacts religious freedom, that impact should be addressed. This reflects the same logic which justifies the existence of the Department of Veterans Affairs, the Services' various family support programs, military medicine, and other programs designed to mitigate the sacrifices inherently associated with uniformed military service to the nation. Since before the writing of the Constitution, the military has utilized chaplains in order to address the special religious needs of those citizens who make the sacrifices inherent in military service.

Ministry and Policy

Military personnel policies are derived from public law, articulated in DoD policy, and implemented in departmental and Service policy. The Secretary of the Navy Instruction (SECNAVINST) 1730 series represents the DON's implementing policy regarding religious matters in accordance with the higher echelon DoD instructions on religious accommodation, which in turn implement Congressional intent as reflected in legislation which has been signed into law by the President. Simply put, the DON accommodates religion because it is the law. It accommodates religion the way it does because it is directed to do so by DoD policy. The United States Marine Corps and the Navy implement DON policy in Service-specific orders and instructions which reflect and are in compliance with DoD policy and law. The other Services do the same based on Department of the Air Force and Department of the Army policy derived from and in compliance with DoD policy. Legally, the Services' commitment to religious accommodation is not optional.

Having asserted the legal basis of religious accommodation and the logic of mitigating the sacrifices of Service members, it is appropriate to consider the various ways in which military service has a prohibitive effect on the free exercise of religion. The Navy perspective offers a straightforward example in the isolating nature of service. A ship at sea, while able to provide for many of the basic requirements for life, is hard-pressed to deliver the wide spectrum of religious services that might be required by the individuals aboard. Any given crew represents a myriad of different religious affiliations. If there is any single factor which characterizes modern American religiosity, it is the multiplicity of expressions thereof. There is no practical way to deliver religious services aboard a ship at sea for every crew member based on his/her

specific religious affiliation. Whereas ashore at home a Sailor has every opportunity to find the house of worship which best fits her/his needs, or to stay home for that matter, that right is impinged upon by the realities of sea service. But the denial of religious support at sea is only part of the problem.

...the military - unlike virtually all other professions - constitutes a distinct community, providing even in domestic bases virtually all facets of ordinary life: from housing, schools, and healthcare to shopping, recreation, and entertainment. The exclusion of organized religion from that community would deprive service members and their families of the ordinary opportunity enjoyed by civilians to have a religious experience that is integrated into their normal lives. The military chaplaincy responds to that burden by offering service members and their families the opportunity to participate in religious experience that is integrated with their broader military communal life. In this sense, the chaplaincy is an equalizer, giving religious experience the same presence in a military community as other, secular aspects of life.¹⁶

In the military, the opportunity to have religion as an integral part of one's life is thus hindered by the very nature of service.

Policy of Accommodation

It is necessary to clearly identify and define the government's specific responsibility with regard to religion among Service members. The above are examples of the religious accommodation requirement. This is the constitutional and regulatory requirement "to make room for,"¹⁷ that is, to accommodate religion, to include access to faith-specific religious support. Derived from the formulation in the 1st Amendment, the DoD articulates the responsibilities of the Services with regard to religion in DoD Instruction 1300.17 (see Appendix K) in the following way:

The U.S. Constitution proscribes Congress from enacting any law prohibiting the free exercise of religion. The Department of Defense places a high value on the rights of members of the Military Services to observe the tenets of their respective religions. It is DoD policy that requests for accommodation of religious practices should be approved by

commanders when accommodation will not have an adverse impact on mission accomplishment, military readiness, unit cohesion, standards, or discipline.¹⁸

On its face, this policy seems to set out the default position of the military in favor of accommodation: unless there is an adverse impact on the mission, religious needs will be accommodated. A balance is to be sought between the religious needs of members and the requirements of the military mission. The constraints are laid out: if accommodation of religious needs has an adverse impact on the force's ability to accomplish the mission, then limits on accommodation are justified. What is not clear is the degree to which the constraints apply. Because the instruction says "should" rather than "will," "must," or "shall" with regard to approval of requests for accommodation, interpretations by the various Services vary widely.

Balancing Mission and Religion: Religious Headgear

One example of variation is the authorization to wear religious headgear outside of religious services. Such authorization is routinely granted in the Air Force for male Jewish headgear (yarmulke) and for female Islamic headgear (hijab).¹⁹ The yarmulke is routinely authorized outside of religious services in the Army and Navy, but the hijab is not.²⁰ No religious headgear is authorized outside of religious services by the Marine Corps.²¹ All these policies supposedly derive from, and are in compliance with, the same DoD policy. This seems inconsistent and worth considering in detail. To that end, the U.S. Code on the subject is quoted below in its entirety:

TITLE 10 > Subtitle A > PART II > CHAPTER 45 > § 774

§ 774. Religious apparel: wearing while in uniform

(a) General Rule.— Except as provided under subsection (b), a member of the armed forces may wear an item of religious apparel while wearing the uniform of the member's armed force.

(b) Exceptions.— The Secretary concerned may prohibit the wearing of an item of religious apparel—

(1) in circumstances with respect to which the Secretary determines that the wearing of the item would interfere with the performance of the member's military duties; or

(2) if the Secretary determines, under regulations under subsection (c), that the item of apparel is not neat and conservative.

(c) Regulations.— The Secretary concerned shall prescribe regulations concerning the wearing of religious apparel by members of the armed forces under the Secretary's jurisdiction while the members are wearing the uniform. Such regulations shall be consistent with subsections (a) and (b).

(d) Religious Apparel Defined.— In this section, the term "religious apparel" means apparel the wearing of which is part of the observance of the religious faith practiced by the member.²²

The U.S. Code seems to state that, with some exceptions, members are permitted to wear religious apparel with the uniform. The negative exceptions are to be based on interference with performance of duties and neatness. At the same time, it is clear that the Secretaries are authorized to prohibit such wearing under some circumstances. It seems fair to say that it is the intent of Congress to allow the wearing of religious apparel while giving the Secretaries the latitude to define neatness and determine interference with duties. The next step is to analyze the DoD's articulation of the U.S. Code in its policy. The DoD Instruction 1300.17 (see Appendix K for the instruction in its entirety), quoted earlier with regard to general policy on accommodation, provides further elaboration of policy with regard to apparel in an enclosure to the policy. The need for flexibility in order to account for the variety of mission requirements is acknowledged.

The factors described in this enclosure are intended to promote standard procedures for resolving difficult questions involving the accommodation of religious practices. In view of the different mission requirements of each command, individual consideration of specific requests for accommodation is necessary.²³

The Military Departments are authorized and empowered to generate their own implementing instructions, and factors to be favorably considered as well as possible areas of application are enumerated.

The guidance in this Instruction shall be used by the Military Departments in the development of implementing documents on the exercise of command discretion concerning the accommodation of religious practices.... Worship practices, holy days, and Sabbath or similar religious observance requests shall be accommodated, except when precluded by military necessity.... Religious beliefs shall be included as a factor for consideration when granting separate rations.... Religious beliefs shall be considered as a factor for the waiver of required medical practices, subject to military requirements and medical risks to the unit.²⁴

The instruction goes on to cite the applicable U.S. Code, then articulate the two broad categories of the grounds upon which requests may be denied.

In accordance with section 774 of Reference (c), members of the Military Services may wear items of religious apparel while in uniform, except where the items would interfere with the performance of military duties or the item is not neat and conservative. The Military Departments shall prescribe regulations on the wear of such items.²⁵

“Neat and conservative” is defined in the main body of the instruction as follows:

In the context of wearing a military uniform, “neat and conservative” items of religious apparel are those that:

- (1) Are discreet, tidy, and not dissonant or showy in style, size, design, brightness, or color.
- (2) Do not replace or interfere with the proper wear of any authorized article of the uniform.
- (3) Are not temporarily or permanently affixed or appended to any authorized article of the uniform.²⁶

The instruction goes on to list some legitimate factors which may be used to determine if an item of religious apparel interferes with performance of military duties, but notes that this is not an exclusive list:

- a. Impairs the safe and effective operation of weapons, military equipment, or machinery.

- b. Poses a health or safety hazard to the Service member wearing the religious apparel and/or others.
- c. Interferes with the wear or proper function of special or protective clothing or equipment (e.g., helmets, flak jackets, flight suits, camouflaged uniforms, gas masks, wet suits, and crash and rescue equipment).
- d. Otherwise impairs the accomplishment of the military mission.²⁷

The instruction then mentions some special cases in which a complete ban would be authorized:

A complete ban on wearing any visible items of religious apparel may be appropriate under circumstances in which the Service member's duties, the military mission, or the maintenance of discipline require absolute uniformity. For example, members may be prohibited from wearing visible religious apparel while wearing historical or ceremonial uniforms; participating in review formations, parades, honor or color guards, and similar ceremonial details and functions.²⁸

Which the exception of these last special circumstances, however, it would seem that the DoD interpretation of the U.S. Code allows the wearing of religious headgear outside of religious services, as is seen in the example cited in the next paragraph:

The standards in paragraphs 5, 6, and 7 of this enclosure are intended to serve as a basis for determining a member's entitlement to wear religious apparel with the uniform. For example, unless prohibited by paragraph 5 or 7 of this enclosure, a Jewish yarmulke may be worn with the uniform whenever a military cap, hat, or other headgear is not prescribed. A yarmulke may also be worn underneath military headgear as long as it does not interfere with the proper wearing, functioning, or appearance of the prescribed headgear, under paragraph 6 of this enclosure.²⁹

If the yarmulke is authorized while uncovered (in doors), as well as while covered (outdoors) as long as uniform headgear can fit over it, then, obviously, a standard has been set for authorization. Regardless of this logic, the instruction contains the following disclaimer:

"Nothing in this guidance or in the Military Department documents authorized by section 4 of this enclosure (except when expressly provided therein) shall be interpreted as requiring a specific form of accommodation in individual circumstances."³⁰ The echelons at which the decisions will be made are left to the Services to determine, although recourse is provided

through an appeal timeline, and final determination must be made at the Service Headquarters level. The inclusion of appeal procedures is significant, because it clearly limits the authority to deny requests to the Service Headquarters.

The authority to approve the wearing of an item of religious apparel with the uniform, under the guidelines of this Instruction, shall be exercised at the command level specified by each Military Department. Denials of requests to wear religious apparel shall be subject to review at the Service Headquarters level. Final review shall occur within 30 days following the date of initial denial for cases arising in the United States, and within 60 days for all other cases. Exceptions to these deadlines shall be limited to exigent circumstances.³¹

If one is not already discouraged by the lack of clarity in law and policy so far, it must unfortunately be borne in mind that the process has as yet not been traced through to the Departmental and Service levels. Once in receipt of DoD policy, the Services then generate implementing instructions. In the case of DON, the Secretary promulgates policy in the form of Secretary of the Navy instructions, which in some cases are then implemented in Navy (OPNAV) instructions and Marine Corps orders (MCOs).

DON Accommodation Policy

SECNAVINST 1730.8B, *Accommodation of Religious Practices* (see Appendix G), provides policy and guidance for the DON, to include the Navy and Marine Corps, per DoD Instruction 1300.17. In it, a rationale for accommodation is articulated :

The DON recognizes that religion can be as integral to a person's identity as one's race or sex. The DON promotes a culture of diversity, tolerance, and excellence by making every effort to accommodate religious practices absent a compelling operational reason to the contrary. During a service member's career in the DON, he or she will be exposed to a wide variety of religious expressions from both chaplains and other service members. It is DON policy to foster mutual respect for diverse religious expressions, which includes accommodating as many of them as possible at the command level.³²

Reflecting this rationale, the policy of the DoD, and the law, SECNAVINST 1730.8B states the following as the policy of the DON:

DON policy is to accommodate the doctrinal or traditional observances of the religious faith practiced by individual members when these doctrines or observances will not have an adverse impact on military readiness, individual or unit readiness, unit cohesion, health, safety, discipline, or mission accomplishment.³³

As required by DoDI 1300.17, SECNAVINST 1730.8B goes on to establish procedures for the appeal of denials of religious accommodation requests. The instruction then discusses specific categories of accommodation requests: dietary observances, immunizations, DNA specimen sampling, and uniforms. In each case, the rationale for determining whether or not to accommodate a religiously based request for exception balances the impact of said request on the performance of duty of the individual and the cumulative effect of such accommodations on the unit's ability to accomplish the mission.

Balancing Accommodation and the Mission: Constraints

Two concepts are essential to understanding the rationale behind a myriad of military personnel policies, to include those regarding religious accommodation. The first is the impact of a given policy on the ability of individuals to perform their duties, and thus of the force to accomplish its mission. The second is the impact on good order and discipline. These are paramount factors in the rationale behind most military personnel policies, and can be seen to heavily influence the writing of law and policy at all levels. These factors are what is meant by the term "practicability" in the Navy Regulations which discuss religious accommodation.³⁴ It is seemingly self-evident that one would immediately reject any suggested policy which hindered the ability of the force to accomplish the mission with the greatest efficiency, economy, and

effectiveness. Seemingly equally self-evident is the need to maintain good order and discipline as a force. As representatives of the government and people of the United States of America, the military must maintain the highest levels of discipline in order to ensure that the great might of the force be used in accordance with American values. The compelling and persuasive nature of these ideas makes it very difficult to respond when they are used to justify policies the impact of which are hard to quantify. Yet, historically, American civilian leadership has been willing to risk some impact on good order and discipline, and some immediate loss in the ability to accomplish the mission, for the sake of significant social issues and the righting of perceived historical injustices. The determination of the proper balance between accommodation and mission accomplishment has been heavily influenced by these other factors.

Perspectives on the Military and Society

Essential to an understanding of the rationale behind the recently promulgated DON policies is an analysis of starting points. From what perspective does one seek to understand how the military and society interact? What is paramount, the needs of the Service or the requirements of the society? It would be unfair to characterize a military versus a civilian approach to these questions. Neither the military nor the civilian societies are homogenous. There is no single military or civilian point of view. Rather, the question asks for a value judgment based on what one thinks best serves the interests of the republic. Is it the case that the military should constitute a reflection of society, to include demographics and values? Or, is protection and promulgation of values that make for an effective military more important? Is there an inherent tension to be balanced? The extent to which one believes that the military should reflect the larger society, and the importance one places on the internal requirements of

the military force, will determine the direction of public policy with regard to a number of significant issues, to include religious accommodation.

To be specific, is it the case that uniformity is so essential to military success that policy should not attempt to cause the military to be a reflection of the larger society at the expense of that uniformity? This seemingly simple question has significant policy ramifications. One approach in attempting to understand those ramifications is to consider the nature of the force and the social significance of the assertion of the importance of uniformity. During the last five years, the DON has asserted its credentials as a diversity organization, committed to recruiting and retaining talent, regardless of race, sex, or religion. It has done so through the establishment of a Diversity Directorate and numerous policy statements. The CNO's diversity policy states that:

We will foster an environment that respects the individual's worth based on his or her performance regardless of race, gender, or creed. As the Chief of Naval Operations, I will lead diversity initiatives in the Navy. I challenge all who serve to do the same through leadership, mentorship, service, and example. Our involved, proactive leadership will create and enable an environment and a Total Workforce that values uniqueness, different perspectives, and talent.³⁵

The Navy emphasis on the value of diversity seems clear. It seems committed to communicating that emphasis through proactive leadership. Individual Service members' requests for religious accommodation, as manifestations of their uniqueness of creed, would seem tailor-made for illustrating the Navy's commitment to diversity. The Navy Diversity Directorate's website as of January 2010 contains the following:

Navy Diversity Definition: Diversity is all the different characteristics and attributes of individual Sailors and civilians that enhance the mission readiness of the Navy.
Desired Effects: Our Navy harvests and represents the strength of the Nation's diversity.

Our Navy is a team whose people are treated with dignity and respect, and are encouraged to lead and feel empowered to reach their full potential. Diversity Directorate's Mission: Provide Navy leadership with the tools and resources to help create and sustain a cultural awareness that values diversity and an environment where every individual prospers and contributes to the mission.³⁶

These statements clearly articulate a commitment to reflecting and leveraging the diversity of the nation. They strongly reinforce the balanced approach to handling issues of religion in the DON. Such a position, reflected in SECNAVINST 1730.8B, is fully consistent with recent historical developments, and reflects changes in the society as a whole. But it was not always the case.

Balancing the Needs of Society and the Military: Historical Perspectives

President Truman signed Executive Orders 9980 and 9981 in 1948, beginning the process of eliminating racial discrimination in the armed forces and all federal employment.³⁷ History testifies that he did so in the face of significant, ongoing racism across a wide spectrum of American society. The negative reaction to integration was pervasive and of long duration. Covert resistance was the norm. This was the case within the military as well as in the larger society as a whole. Attempts to address the issue continued through the sixties.³⁸ As late as almost twenty years after Truman's action the Navy was still struggling to maintain order and discipline aboard ships in the face of inter-racial conflict. The ability of Navy crews to accomplish the mission was impacted by racial tension. Racially motivated riots took place aboard ships.³⁹ The Congressional report on the matter, though implicated by a tendency to 'blame the victim' and ignore systemic racial problems, articulates the crux of the issue when it describes "an erosion of good order and discipline."⁴⁰ Chaplains played a significant role in efforts to overcome that tension.⁴¹ Yet, for the sake of the principle of integration, the civilian leadership was willing to assume the risk of disorder. The balance between military necessity

and the needs of the larger society was struck in favor of accommodation. Room was made for minorities in the Services, even though this caused disorder for a time.

From an historical perspective, it would certainly appear that the argument for the military essentiality of uniformity is thus suspect. An assertion of the need for racial uniformity would be understood to be repugnant on its face. Yet the argument could certainly have been made prior to integration that Soldiers, Sailors, Airmen or Marines could not be integrated without violent consequences. This was certainly borne out by events. Because of the existence of racism in the ranks, it could have been argued that integration was a threat to good order and discipline, and therefore must not be implemented. The current emphasis on diversity in the Services is a testimony to the ability of the armed forces to conform to national policy. That racial diversity is now an explicitly stated goal of the Services is a testimony to the reflection of changing social norms in the military, and certainly a testimony to the willingness of the military to follow lawful orders. Finally, the racially integrated armed forces reflect a determination on the part of the government to strike a balance between the needs of the Services and the needs of the society such that a more perfect union might be accomplished.

Religious Accommodation: Provide and Facilitate

While it is clear that there are limits to the accommodation of religion, those limits cannot be drawn in such a way as to close off the freedom of religion articulated in the Constitution, the law, and DoD policy. As important as the criteria for limitation as articulated in DoD policy may be, they do not automatically trump a Service member's religious freedom. As will be seen, new DON policy seeks to position the department to balance both the rights of the individual and the prerogatives of the commander in pursuit of mission accomplishment.

The requirement to accommodate religious needs necessitates two separate skill sets by virtue of the nature of religion in America. “These two requirements - the particularism of a chaplain’s ministry within a specific faith group, and the pluralism demanded by the obligation to assist all in need - are evident in the service of each chaplain and provide the basic framework for understanding the chaplaincy.”⁴² Religious diversity generates the need for personnel who can navigate the variations by being knowledgeable enough to guide members to the religious support resources they require. Obviously, personnel are needed who can provide the faith-specific sacraments and services. But the establishment clause prohibits the kind of deep involvement in religion that would be required in order to have a cleric or minister trained *by the government* to deliver such faith-specific support. The government relies on endorsing agencies to identify and certify individuals for service who already have the requisite faith-specific expertise. These endorsing agencies in turn interact with the various religious organizations of the nations. Thus there is a buffer between the government and religious organizations.

In order to acknowledge this two-fold aspect of the religious accommodation requirement, the DON has identified two Chaplain Corps capabilities, designated as “provide” and “facilitate.”

Chaplains manage and execute CRPs that accommodate diverse religious ministry requirements. Accommodation of individual and collective religious ministry requirements includes, but is not limited to: scheduling, budgeting, contracting and coordinating to include the management of volunteers and lay leaders.... Based upon their professional credentials, ecclesiastically endorsed and commissioned chaplains meet faith group-specific needs, including worship services, sacraments, rites, ordinances religious and/or pastoral counsel, scripture study, and religious education.⁴³

“Provide” refers to the faith-specific support delivered by chaplains. A common misconception among civilians is that military chaplains either offer nonsectarian, generic services, or simply

wear the appropriate hat to do the services of multiple faiths or denominations. This is not the case. Chaplains are expected to remain true to the organization which endorses them, and to be honest and accurate in how they publicize their services. There is, however, a school of thought or theological understanding which holds that chaplains, or anyone for that matter, can indeed be priest, rabbi, imam, or whatever the situation requires because ‘we all worship the same god.’

This truth claim of maximal pluralism could be a subtle form of universalism, such as that captured by the sentiment that “we are all on different paths with the same destination.” Alternatively, maximal pluralism might rest on a more relativistic assertion that all faith traditions rest on equally unverifiable, subjectivist beliefs. In both its universalist or relativist modes, however, maximal pluralism represents a substantive and highly contested set of religious commitments.⁴⁴

This is not DON policy. Such a policy would be an endorsement of that particular theological understanding, and thus an establishment of religion. So even the assertion of circumstances in which “nonsectarian” prayer or services are required is in fact an inappropriate interference by the government in religion.

The mandate of preaching pluralism, then, would turn the religious message into an instrument of military policy. While the goal may be laudable, the intentional, governmental promotion of specific religious messages to further policy goals violates a core component of the non-establishment guarantee. In promoting specific religious doctrines, the government has essentially proclaimed itself competent to judge the religious superiority of such doctrines. Regardless of the secular efficacy of the doctrines, this course of action is a violation of government’s constitutional obligation of neutrality among religions, as well as its jurisdictional limitation to temporal matters.⁴⁵

This was the primary flaw of the section on public prayer in SECNAVINST 1730.7C (see Appendix E), which was rescinded by the DON after it became the target of protest by some members of Congress.⁴⁶ As cast in SECNAVINST 1730.7D, the “provide” capability acknowledges the diverse nature of religion in the ranks and the need to deliver services

accordingly while respecting the religious identity and theological boundaries of those who provide.

“Facilitate” describes the religious support afforded to Service members who do not share the same faith background as the chaplain. This support may involve advice to Service members as to where and when faith-specific services are held, identity and location of same-faith chaplains, supply of religious gear necessary for personal religious practices (scriptures, prayer books, rugs, rosaries, yarmulkes, etc.), the identification of appropriate spaces for worship, as well as information resources and other useful points of contact. It is important to note that most faith groups do not train their clergy or ministers in the skills necessary to help individuals practice other faiths. Yet that is exactly what military chaplains are called to do. This is another significant difference between civilian and military ministry. The balance between provision and facilitation is inculcated with what Lupu and Tuttle refer to as pragmatic pluralism:

If the context of preaching in faith group worship represents the maximal claim of required pluralism, the minimal claim involves what might better be called an attitude of “pragmatic pluralism,” manifest in aspects of the chaplain’s role outside of faith group worship. Unlike the maximal version, the minimal obligation does not require affirmative assent to or expression of theological truth claims. Instead, the minimal obligation focuses on the chaplain’s performance of specific acts, such as the maintenance of working relationships with fellow chaplains, and the chaplain’s diligence in facilitating all service members’ religious needs on an equal basis.⁴⁷

Accommodation Scenario

A scenario might better illustrate how facilitation represents a significant difference between civilian and military ministry. According to policy, what should happen when a Sailor from a non-Christian tradition approaches a Christian chaplain seeking religious support? Does the chaplain explain to the Sailor that he must be saved by accepting Jesus Christ as his Lord and

Savior? While consistent with the evangelical mission of the chaplain's faith group, such an action would, at the least, be a violation of proper chaplain behavior. In accepting their commissions, chaplains acknowledge the pluralistic environment in which they will work.⁴⁸ Chaplains are required to respect the faith, or lack thereof, of those they serve. The requirement to respect other faiths is the keystone of institutional ministry. No faith group, no matter how numerous, can be assured that they will always have a chaplain or other representative on the spot when a coreligionist has need. In a sort of religious 'mutually assured destruction', it is incumbent on all to respect the faith of others, lest their own be lost to proselytizing in a moment of personal crisis or weakness.

A chaplain that denigrates other faiths and undermines the ministry of fellow chaplains acts in direct contradiction to the basic justification for the chaplaincy itself. In requiring chaplains to practice "pragmatic pluralism," the military does not establish a particular version of religious truth, but instead directs its officers to perform the legitimate secular work of accommodating religion.⁴⁹

All those who endorse religious professionals for military service are relying on the honor of chaplains to offer faith-specific content only to those who ask for it. The possibility that a Service member's vulnerability might be taken advantage of by a proselytizer elicits preventative language from a variety of organizations engaged in civilian ministries (hospitals, Clinical Pastoral Education, Veterans Affairs).

Such a model, reflected in the standards for Clinical Pastoral Education (CPE), emphasizes the responsive character of pastoral care. The chaplain elicits and develops the patient's own religious commitments, rather than imposing on the patient the religious views of the chaplain.⁵⁰

It is reflected in language in a draft document on CHC Community Ethos and Standards.

We recognize the power of our office and the trust Sailors, Marines, Guardians and their families place in us. We respect the dignity and worth of those we serve and we tolerate

no abuse of trust within our Corps.... We never denigrate another faith or the absence of faith but model tolerance for all.⁵¹

This important boundary language is further elaborated in the section in the same document on standards of conduct:

Non-Proselytization – While being true to my own faith, I recognize that by entering into military chaplaincy I agree not to proselytize in my role as a chaplain. I will always be honest and forthcoming about my own faith tradition when specifically asked and when leading faith-specific services but will never attempt to convert a service member to my faith unsolicited.⁵²

The CHC capability to facilitate presupposes a willingness to serve in a pluralistic environment on the part of the chaplain, as well as the delivery of appropriate training by the CHC to empower the chaplain to effectively facilitate the faith requirements of those not of his/her specific faith group. Training by the CHC is essential. It is highly unusual for a religious ministry professional to enter military service with the training necessary to be an effective facilitator of other faith groups. Civilian religious organizations are not generally in the business of, as it were, helping the competition. But that is exactly what chaplains are expected to do, as professional naval chaplains.

Training is also required in order to ensure that chaplains understand the boundaries of their ministry in the military context. The unique vulnerabilities associated with military service must be taken into account. At the same time,

... a military that imposed an outright ban on religious persuasion by chaplains in this setting would protect vulnerable service members from exploitation while simultaneously undermining the religious options of service members seeking deep and sustained religious counsel at a moment of personal truth.⁵³

Thus a balance is required between responsiveness to the needs of Service members and the constitutionally acceptable boundaries of chaplain behavior.

The proper response of the hypothetical Christian chaplain is to facilitate contact between the Sailor and a chaplain of the Sailor's tradition. If there is none available, the chaplain will seek to support the member's personal devotion through the supply of appropriate scriptures, other literature, and religious gear (liturgical paraphernalia, etc.). The chaplain will put the Sailor in touch with other personnel of the same faith. If deployed, the chaplain will have sought to identify a volunteer and arranged training in order to organize and support lay-led worship. The chaplain will also identify on-line and other distance support. If ashore, the chaplain will assist in identifying local resources. In doing so, the chaplain, on behalf of the DON, has honored the Sailor's First Amendment protections. Additionally, the chaplain has confirmed that the DON does indeed welcome diversity, in action as well as in theory.

Basic Human Needs: Care

In addition to religious accommodation, the DON has identified another important requirement associated with the impact of service on the lives of members. This is the requirement to meet the basic human needs of Service members. In order to accomplish the mission, it is obvious that the military Services must provide basic support in the way of nourishment and shelter. Other essential elements of support include: medical, logistical, administrative, legal, and religious support. Navy Regulations reflect the significance of these requirements in the chapter on Commanding Officer responsibilities, in the section labeled "Welfare of Personnel."⁵⁴ Intuitively apparent is an additional element which undergirds and influences the others: Services members need to know that the organization cares about them. Access to a professional Navy chaplain who shares in and understands the stresses and challenges of military life, will maintain confidentiality of communications, and is credentialed

to help with the spiritual aspects of life is another way the Service responds to basic human needs. The DON has labeled the CHC capability designed to respond to human need as “care.” Simply put, the chaplain cares about the crew. He or she cares for the individual in an organization which must focus on the collective. She or he cares not because of the utility of the individual’s function, but because of a belief in the inherent value of each person. The chain of command of necessity focuses on the mission. Within it, though, is a caring professional who understands and is willing to listen and help. In this sense the chaplain is the ultimate safety valve. If the system fails in every other way to communicate its concern for a Service member, the chaplain is there as a fail-safe. The care capability is described in policy as follows:

Chaplains are uniquely qualified to deliver specific institutional care, counseling, and coaching, which attend to personal and relational needs outside of a faith group-specific context. This includes relational counseling by chaplains which is motivated by their proximity and immediate presence, distinguished by confidentiality ...and imbued with professional wisdom and genuine respect for human beings. Such counseling is most effective when based on strong relationships developed in the context of shared life in the same unit. Some examples of care include deck plate ministry, counseling, coaching on military life, pre- and post deployment training for Service members and their families, crisis prevention and response, the CREDO program, memorial observances, and combat casualty ministry. Chaplains also strengthen community life by delivering training and education to Service members and other authorized personnel.⁵⁵

According to data collected as part of the requirements validation process carried out in the execution of the Strategic Plan, the tasks categorized as part of the care capability represent the largest segment of a chaplain’s time (see Appendix M).⁵⁶ It thus becomes apparent that chaplains balance their “facilitate” and “provide” efforts and their “care” efforts based on the needs of the people served.

Subject Matter Expertise in Command Support

The third requirement associated with religion identified by the DON is the need of the command to “understand the complexities of religion with regard to its personnel and the mission.”⁵⁷ In order to meet this requirement, the DON has identified the “advise” capability of the CHC:

Chaplains strengthen the chain of command and assist in the development of leadership by providing advice to leaders at all levels. Chaplains serve as principal advisors to commanders for all matters regarding the CRP within the command, to include matters of morale, morals, ethics, spiritual well-being, and emerging religious requirements. Under reference (f), chaplains serve as an advisor to commanders on the impact of religion on military operations, within the boundaries of their non-combatant status.⁵⁸

This traditional role of the chaplain has become more complex as U.S. forces adapt to the exigencies of the Long War (the war formerly known as the global war on terrorism). As a result, the DON has published additional policy guidance in SECNAVINST 1730.10, *Chaplain Advisement and Liaison* (see Appendix D). This instruction delineates three categories of advice and liaison, and their associated responsibilities and limitations.

Advisement and Liaison. Consistent with reference (c) [SECNAVINST 1730.7D quoted above], the chaplain advises the command in three distinct ways. The chaplain strengthens the chain of command and assists in the development of leadership by providing advice to leaders at all levels (essential advice). The chaplain serves as the principal advisor to the commander for all matters regarding the Command Religious Program (CRP) (executive advice). The chaplain serves as an advisor to the commander regarding the impact of religious and humanitarian matters on military operations (external advice). The nature of each type of advice drives concomitant liaison work.⁵⁹

This differentiation into three categories is important because it allows for the delineation of boundaries across which the chaplain cannot go without jeopardizing his or her noncombatant status. SECNAVINST 1730.10 balances the command’s need for religious expertise and the requirements of the chaplain’s non-combatant status.

It is already apparent that the religious needs of the crew are indeed complex enough to require the assistance of an expert in religious accommodation in order to properly honor the requirement and implement a command religious program (executive advice). The chaplain delivers advice to all levels of the chain of command regarding moral, ethical, spiritual, morale, interpersonal, disciplinary and other matters (essential advice). Though ethics are defined by the DON as a matter of compliance, morality is a subject which has both a shared and a personal aspect. Social, cultural, and religious influences play a part. In working to nurture a healthy command climate, commanders and other leaders are confronted by an almost infinite spectrum of individual moral perspectives. The chaplain can offer advice in support of the command's effort to focus that spectrum in such a way as to produce a positive command climate.

As the one who listens, the chaplain is uniquely positioned to collate and organize the feedback received. She or he can offer the commander another perspective on the morale of the crew. While a member of the staff and an officer, the chaplain is also seen as a representative of a 'higher power,' to borrow the terminology of 'twelve step programs.' As such, he or she is approachable in a way that is in some way separate from the rest of the official command structure. As the one who respects everyone and is enjoined to maintain confidentiality, the chaplain may hear points of view unlikely to be expressed to other command representatives.

In the execution of 'deck plate ministry,' or 'ministry by walking around,' the chaplain, as a keen observer of humanity, is able to gain insight into the workings of the various sections of the command, identifying sources of interpersonal cooperation and friction. He or she can offer advice directly to the individuals involved as to how to overcome friction and establish more harmonious working relationships (essential advice). Thus the command gains the benefit

of a version of the kind of advice given to individuals and couples as part of pastoral counseling. Conflict mediation and resolution are integral to pastoral counseling, and have many practical applications aboard ship or in any other type of military unit.

The chaplain is present at Captain's Mast and Office Hours, the exercise of the commanding officer's non-judicial punishment authority in the Navy and Marine Corps respectively. Commanders can utilize the chaplain as a source of advice regarding the disciplinary action to be taken (essential and executive advice). Often, the chaplain can offer insight as to the circumstances of the case, while never divulging confidential communications. More importantly, the administration of justice is a challenging and difficult responsibility for the commander, and the chaplain can serve as a valuable sounding board. In a highly disciplined and cohesive organization, it is all the more important that outliers have an advocate. When the team has determined that an individual is not a team player, there is a tendency to write that individual off. Such judgments can be premature, yet it is difficult for any member of the team to resist the group's assessment. Lest Marines or Sailors be given up on too soon, someone must play the role of devil's advocate. The chaplain can serve that role, although it might be more appropriate to describe the role as 'angel's advocate.'

Balancing Advisement Post-9/11

An aspect of the CHC advisement capability which has gained greater attention since the attacks of 9/11 and the initiation of the Long War is that of advice to the command with regard to the impact of religion on military operations (external advice). This function is identified in DoD Directive 1304.19, *Appointment of Chaplains for the Military Services* (see Appendix J). In it, chaplains are identified "as the principal advisors to commanders for all issues regarding the

impact of religion on military operations.”⁶⁰ The interaction of U.S. forces with cultures strongly influenced by Islam has necessitated a greater degree of understanding on the part of commanders and all U.S. personnel with regard to cultural and religious diversity. Enhanced understanding of Islamic religion and culture, to include the sensitivities and perspectives of allies and adversaries, have become an operational necessity. Chaplains can offer a perspective “on the religious and humanitarian aspects of command operations.”⁶¹ That said, there are important limitations on this type of advice. The DON was the first military department to articulate in policy the boundaries of this form of external advisement, and its associated liaison activities. While it is beyond the scope of this paper to delve into the subtleties of the DON position, it is important to note that in situations where the laws of armed conflict apply, and pursuant to DON regulations, chaplains may only be utilized to accomplish their religious support functions. The responsibilities and boundaries of commanders and chaplains are clearly articulated in SECNAVINST 1730.10 (see Appendix I), which balances the command’s need for external advisement with the need to preserve the chaplain’s noncombatant status.

To summarize this section, in order to fulfill Goal 1 of the Strategic Plan, DON has identified three requirements: 1) the Constitutional (1st Amendment) and regulatory requirement to accommodate religion, to include access to faith-specific religious support; 2) the moral imperative to make a good faith effort to meet basic human needs, especially those intensified by military service; and 3) the requirement for professional subject matter expertise on religion. For these three requirements the DON has developed within the CHC the following four capabilities: 1) facilitate; 2) provide; 3) care; 4) advise. Figure 2 provides a graphic representation as depicted in the Strategic Plan.

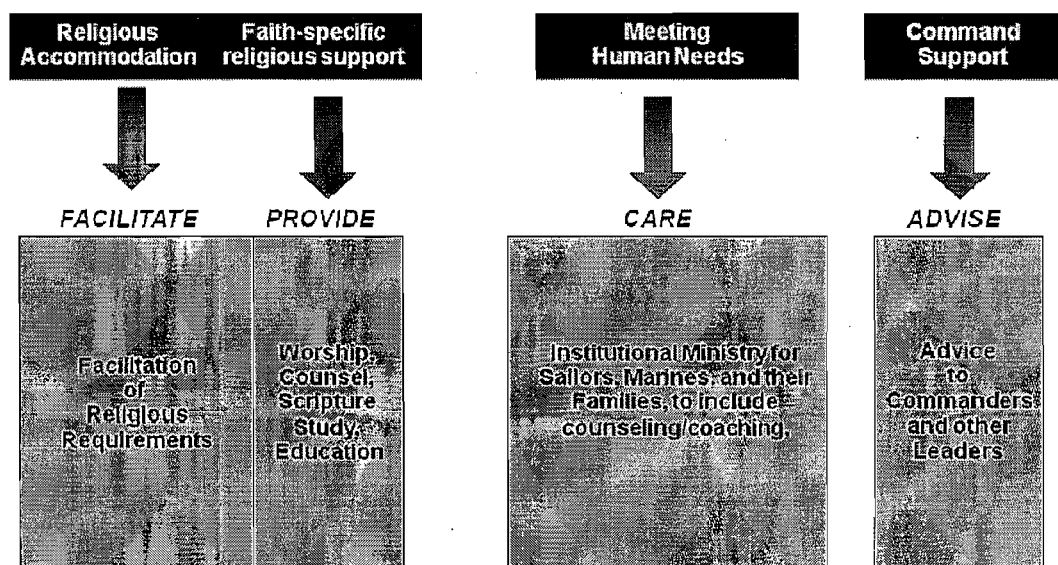


Figure 2

Religious Ministry Professional to Chaplain

Goal 2 of the Strategic Plan calls for a healthy Chaplain Corps. One aspect of that health is the preparedness of chaplains to accomplish their mission to facilitate, provide, care and advise. But chaplains do not come to military service prepared to deliver on these capabilities. They come as trained and educated religious ministry professionals representing their faith group. They do not become chaplains until they are trained in the skills necessary for ministry in the military milieu. For the four capabilities, Figure 3 provides a graphic illustration of the expertise of religious ministry professionals as they begin their chaplaincy experience, prior to training.

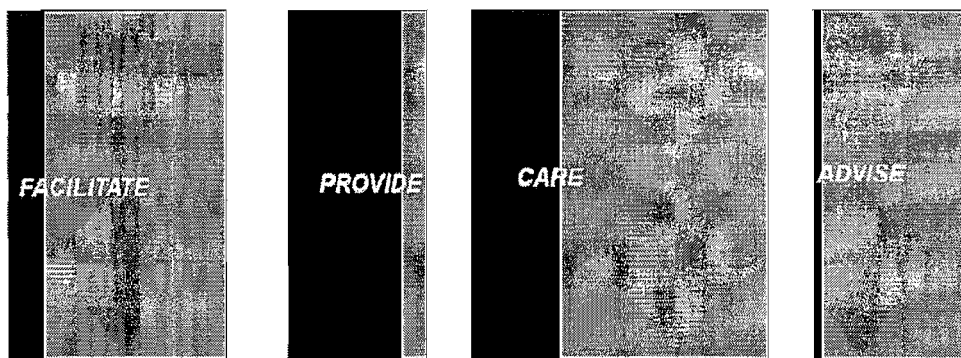


Figure 3

As indicated in dark blue, religious ministry professionals arrive in chaplaincy with a considerable understanding of the faith and practices of their own faith group. They have some general knowledge of counseling or coaching. The light blue represents the uniquely military aspects of the four capabilities. In the civilian world, one is not usually called upon or trained to facilitate the religious needs of those of other faiths. One does not have the specific training necessary to deliver care in the military environment, to include an understanding of the rules and regulations, and experience of the unique stress and challenges. One has probably never been called upon to advise a military commander. The light blue areas represent what is described in DON policy as professional naval chaplaincy. These are the skills one must develop to be a successful chaplain in the DON.

Professional Naval Chaplaincy

The key concept of the DON approach to chaplaincy is that of professional naval chaplaincy (PNC). It is defined in SECNAVINST 1730.7D as:

The field of endeavor in which Navy chaplains deliver to the Sea Services and authorized recipients religious ministry characterized by cooperation, tolerance, mutual respect and respect for diversity. It is further characterized by an understanding of both the pluralistic

nature of the environment and the processes and structures of the organizations and institutions served. PNC includes the full range of responsibilities inherent in positions of leadership and authority in the Navy, as well as the standards and codes of behavior established for chaplains by the DON and those found in civilian religious professional life. Implicit in PNC is the expectation that chaplains will not compromise the standards of their RO [religious organization].⁶²

This concept is further developed in the draft PNC Guidebook.⁶³ The concept of PNC emphasizes the substantive differences between civilian and military ministry, for the sake of establishing professional standards for uniformed military chaplaincy. In order to hold chaplains accountable for performance, it is necessary to set standards. That cannot occur as long as there is confusion as to what is required. Historic vagueness with regard to chaplain responsibilities has been a source of confusion through the years, as well as a haven for underperformers. “You can’t quantify what I do.” “I’m answerable to my church and my God.” While there is some truth in both statements, they do not represent a reasonable basis on which to organize, manage, and deliver chaplain services effectively or efficiently, or with any degree of accountability. The Services can no longer afford to allow individual chaplains to indulge themselves in whatever activities they are comfortable performing. Budgetary constraints require better stewardship of limited resources. Chaplains must be accountable to deliver a standard of service as the basis of what is expected of them as officers. Such standards start with clear delineation of functions, definition of terms, and agreement on common understanding of responsibilities and boundaries. The new instructions in the 1730 series provide those basic building blocks in a more balanced and comprehensive way than ever before.

Balancing the Needs of the Individual and the Command: Chaplain Confidentiality

One example of the need for definition and clarity of intent is the concept of chaplain confidentiality. This idea has been around for a long time. A subset of confidentiality, privileged communications, is referenced in Military Rules of Evidence.⁶⁴ Many (historically to include some chaplains) have the mistaken impression that the confidentiality one can expect from communication with a chaplain is a matter of theology having to do with the sacrament of confession in some religious traditions. This is not the case. While it may have its historical roots in sacramental theology, chaplain confidentiality is a matter of DON policy which applies regardless of the individual chaplain's or counselee's religious allegiance or theological position on the matter. It has developed beyond sectarian theology to become an important component of the DON's effort to account for the basic human needs of Service members. SECNAVINST 1730.9 *Confidential Communications to Chaplains* (see Appendix H), states that

Confidential communication includes acts of religion, matters of conscience, and any other information conveyed to a Navy chaplain in the chaplain's role as a spiritual advisor that is not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the purpose of the communication or to those reasonably necessary for the transmission of the communication.⁶⁵

As members work and live in a hierarchical organization focused on mission accomplishment, the human price of that effort must be accounted for. When operational stress becomes overwhelming, members must have a safety valve on which they can count. Lest they hesitate to share their problem because of fear of censure, the policy of chaplain confidentiality provides a safe haven in which they can honestly discuss their challenges. The tragedy of suicide or homicide as the result of combat or other operational stress can be avoided by such a safety

valve. Of course, the number of such tragedies avoided cannot be counted. Yet the benefit of having such a mechanism in place seems clear. To protect it, clear policy guidance is necessary.

The term "confidential communications" includes the legal recognition of the clergy penitent privilege, all communications between Navy chaplains and those who confide in them as an act of religion, a matter of conscience, or in their role as spiritual advisors. Commanders and chaplains are required to honor the confidential relationship between service personnel and chaplains. This protection extends to all authorized personnel and this obligation extends to all Navy chaplains.... The unique role of Navy chaplains includes a sacred trust of maintaining absolute confidentiality. ...⁶⁶

By clearly specifying the responsibilities of commanders, chaplains, RPs, and others involved in CRPs, the instruction provides a baseline for accountability. It carefully balances the chaplain's responsibilities to the chain of command with those to individual Service members.

Confidentiality is a unique characteristic of chaplaincy, integral to the care capability, a valuable safeguard, and a meaningful effort by the DON to help Sailors and Marines negotiate the challenges of military life.

PNC recognizes and emphasizes the importance of chaplain expertise and experience in the unique aspects of military life. As someone who shares the experience of military service, not just wearing the uniform, but living side-by-side with other Service members, chaplains earn credibility in the eyes of their shipmates. This is important when those shipmates need help from someone they can trust, someone who understands their situation, and someone on whose discretion they can count. A civilian minister could provide faith-specific services, but will not usually have the same credibility as the chaplain. To take it a step further, the chaplain *of the unit* has the best opportunity to establish rapport with those served. This is the ideal for military ministry. While it is unattainable across the board due to budgetary and supply constraints, it is the gold standard for chaplain service delivery. When the chaplain has the opportunity to

establish and cultivate relationships with the crew, she/he is best situated to deliver the highest quality support. Intimately familiar with the command climate, the strengths and weaknesses of leaders across the chain of command, and aware of the personal issues of the Sailors and/or Marines, the chaplain can proactively deliver life-changing ministry. Whenever possible, the DON strives to come as close as possible to this ideal. Chaplains are assigned as close to the deck plates as possible, that is, at the lowest possible echelon of command. When crew complements are not large enough to justify a chaplain resident in the command, a chaplain will be assigned at the next higher echelon, for example, at the destroyer squadron, or air wing levels. The Marine Corps strives to ensure that every battalion is assigned its own chaplain and RP.

As the concept of PNC is developed, the Navy CHC will have the opportunity to continue to further articulate in policy and doctrine the standards of conduct, command expectations, and professional nature of chaplaincy in the DON. In so doing, Sailors, Marines and their families will benefit from more consistent, effective, and efficient religious support. High caliber civilian religious ministry professionals interested in exploring their call in a challenging, personally enriching environment will be attracted to chaplaincy in the DON. The nation will gain confidence in an organization which understands its responsibilities and holds its members accountable for their performance of duty.

The Balanced Approach: Prayer

The balanced approach to religion articulated in recent DON policies can be seen in the position taken on an issue of considerable recent controversy. As was mentioned above, SECNAVINST 1730.7C was rescinded due to opposition generated by the use of the term “nonsectarian” to describe the content of public prayers offered by chaplains at mandatory

command events. The new version of that instruction, SECNAVINST 1730.7D, *Religious Ministry in the Department of the Navy* (see Appendix F), offers a different approach to such prayer. This highly emotional issue has been a cause of much controversy and fruitful fund raising opportunities for stakeholders across the political spectrum. Its politicization did not help the development of sound policy. Yet the process in which the current policy was shaped did reflect authentic differences in the understanding of chaplaincy, the place of religion in the public sphere, and the unique characteristics of military service.

The issue requires framing. With regard to the Navy, Title 10 of the U.S. Code states that “an officer in the Chaplain Corps may conduct public worship according to the manner and forms of the church of which he is a member.”⁶⁷ Navy Regulations recognize the reality of varied religious needs: “The religious preferences and the varying religious needs of individuals shall be recognized, respected, encouraged and ministered to as practicable.”⁶⁸ The 1730 series has consistently reflected the law as regards worship services.

4. Divine Services. A term of art used in Section 6031 of reference (a) [U.S. Code] and Article 0817 of reference (b) [Navy Regulations] to refer to public worship conducted afloat, in the field, or on military bases and installations by a military chaplain pursuant to the chaplain's official duties.

a. Under reference (a), commanders “shall cause divine services to be performed,” and a chaplain may conduct divine services “according to the manner and forms” of his or her RO.

b. Divine services are command functions which take place according to the manner and forms of ROs.

c. Attendance at divine services shall be voluntary, with the exception of personnel present in an official support capacity.⁶⁹

It is important to note that these protections apply explicitly to “divine services” which are understood to be those conducted by the chaplain in accordance with “the manner and forms” of his/her religious organization. The distinction is important because on its face, it does not seem

to cover chaplain activities at events other than the worship services they conduct as part of their faith tradition. This leaves open to interpretation the extent of protection given to such things as prayers offered by chaplains at other command functions, such as retirements, promotions, changes of command, or official memorial observances. SECNAVINST 1730.7C sought to address this gap by the following: "Other than Divine/Religious Services, religious elements for a command function, absent extraordinary circumstances, should be non-sectarian in nature."⁷⁰ The assertion that the government could require that prayer be non-sectarian was found highly objectionable by some members of Congress, as well as many chaplains. Even though the same instruction explicitly codified in policy, for the first time, the protection of chaplains' freedom of conscience...

"Chaplains will not be compelled to participate in religious activities inconsistent with their beliefs... Once a commander determines a religious element is appropriate, the chaplain may choose to participate based on his or her faith constraints. If the chaplain chooses not to participate, he or she may do so with no adverse consequences."⁷¹

...the instruction was rescinded by DON as part of a compromise with Congress. While it was ironic that the first ever protection of chaplains' conscience was stricken down by political pressure to protect chaplains' conscience, the compromise left the DON without applicable policy. SECNAVINST 1730.7D sought to achieve a balanced approach in the following formulation:

Consistent with DON policy on religious accommodation and the protections mandated by reference (a) [Title 10], commanders shall determine whether religious elements as defined in enclosure (1) [Definitions] shall be included in command functions. Commanders shall not compel chaplains to act in a way that is inconsistent with the tenets of their faith. When invited to deliver religious elements at command functions, if the chaplain chooses not to participate, he or she may do so without adverse consequences.⁷²

This approach seats authority over command functions where it clearly belongs – in the hands of the commander. That said the chaplain is protected from any compulsion to violate the tenets of his/her faith, whether in the delivery of faith-specific services *or in any other type* of command function. Finally, because of the need to respect the religious diversity represented at mandatory command functions, the commander's discretion to determine whether or not to have such religious elements as prayer at an event is confirmed explicitly. The chaplain does not have the right to participate. She/he is invited to do so. If the chaplain is not comfortable with what the commander has determined (in consultation with the chaplain) to be appropriate for inclusion in the ceremony, the chaplain is free to bow out without adverse consequences. The commander is free to make the determination that there will be no official prayer from the podium. He/she may determine that a moment of silence is appropriate. Unfortunately, as the issue becomes more and more controversial, silence may ultimately become the most common practice, not because of policy or law, but because of a commander's sense of career self-preservation.

The commander may determine that it is appropriate for the chaplain to deliver a faith-specific prayer. How could such a decision not be subject to the accusation of establishment? The follow scenario has occurred more than once, and will again. A crew member has died. There is to be an official memorial service, where attendance by all available members of the command is mandatory. The commander is having the service videotaped for delivery to the family of the deceased. The deceased was devout. The ship has access to a chaplain of the same faith. The command chaplain, of a different faith, organizes the observance on behalf of the command. During the observance, in honor of the fallen, the coreligionist chaplain offers the traditional prayers of their shared faith. It is reasonable to assume that everyone present

understands that the prayers are being offered in honor of the fallen, not as an attempt to establish a specific religion in the military. The fallen Service member is honored for who he was, to include his faith, an integral part of his identity. This is appropriate and reasonable, and should be acceptable under DON regulations and policy. To require that all prayer be non-sectarian is to preclude this scenario, along with faith-specific prayer at non-mandatory command events such as retirements and promotions. In the case of retirements and promotions, these are again instances where an individual is being honored. Sailors and Marines traditionally invite family and friends to such observances. It is appropriate in such circumstances to honor the person as a whole person, to include his/her religiosity. Guests at such an event would reasonably find it appropriate that an honoree might prefer to have an invocation or benediction offered according to the tenets of her/his faith. Since it is not a mandatory event, there should be no impediment in policy to accommodating such a request.

Before leaving the topic of prayer, one is compelled to offer the following personal opinion as an alternative framework for understanding this issue. Why is it not reasonable to say that, like racial and sexual tolerance, religious tolerance will be a required behavior? Could the DON not state in policy something to the following effect: DON does not establish religion. Over the course of their careers, Service members will experience a wide variety of prayers at mandatory command events. These are to be taken at face value as the particular expressions of individual chaplains which may or may not be representative of particular religions or denominations. They are not intended to be deemed officially sanctioned or supported. They purport to be nothing more nor less than individual piety. No one group is being advantaged in any way. All represented groups have the opportunity to participate. *Audience members are*

ordered to tolerate such participation in the same way they are ordered to tolerate the presence of other races, other sexes, or other ethnic groups. This would offer the same degree of respect for the beliefs of chaplains as is currently afforded the audience of mandatory command events. It would remove the pressure to conform to an ecumenical theology which may be inferred by recent practice, and was explicitly articulated in the rescinded SECNAVINST 17330.7C.

Unfortunately, this approach is not in line with court rulings on related issues. However, those rulings do not specifically involve the military. They primarily involve legislatures and public schools.⁷³ The problem with much of the legal analysis of ceremonial prayer is that it fails to identify the context properly. A military ceremony is by its very nature an extremely regimented, controlled event. All participants have specific roles and responsibilities. Even those who seem to be the audience are actually participants, with their own clearly articulated roles and responsibilities. To categorize the hearers of a ceremonial prayer at a mandatory event as children, simply because their presence is mandatory, is less than useful. In fact, unlike children, military members who are present have a very clear understanding of the event, the organization, and their role in both. This clarity would tend to mitigate perceptions of victimization. From the outside looking in, one might think members are undefended from the utterances of chaplains in such circumstances. Quite the contrary, they, like the chaplain, are functioning according to explicit rules and regulations, scripts and SOPs. These ceremonies are organic to the culture of the military, and as such, function within a context of explicit and implicit rules. It would be reasonable to argue that everyone present can safely accept at face value the command's assertion that the chaplain's prayer represents nothing more than that, the individual chaplain's prayer. It does not represent command or government endorsement of the

chaplain's theology, the faith group, or anything else with regard to religion. It is simply an aspect of the ceremony which adheres to traditional military procedures and forms. The fact that there is faith-specific content should not be considered objectionable, when understood in the larger context of the experience of members across the length of their careers in the military. Particularly if in policy the Services explicitly articulate a position of non-endorsement of any sect. Could a case not be made that in the unique environment of the military, where diversity is mandated, this is the environment in which advanced citizenship *can* be practiced, where individuals can be comfortable enough in the protections they enjoy to tolerate differences, even to include sectarian prayer at mandatory events? Is America not grown up enough to appreciate differences without the knee-jerk reaction of complaining at possible unfair advantage? Is the society so brittle that it cannot tolerate faith-specific utterances in the public square? One hopes Americans both inside and outside the military are up to the challenge.

Conclusion

Naval chaplaincy continues to evolve from its formation before the founding of the Nation and drafting of the Constitution. As a result of the CHC strategic planning process, the DON has codified in its new and revised policies a balanced approach to the government's Constitutional responsibilities with regard to religion. Made up of men and women who are dedicated to the proposition that human beings are inherently valuable and worthy of support, the CHC balances the personnel equation as other elements of the DON focus on mission accomplishment. The CHC is iconic of the DON's embrace of diversity, even when counterpoised with the need for good order and discipline. In an era when each individual Sailor and Marine represents a significant investment by DON, the CHC offers the ultimate safety

valve for members who need confidential assistance, affirming a sane balance between the needs of the command and the needs of the individual Service member. The people of the DON can relate to their chaplain, who balances the roles of religious ministry professional and staff officer, sharing the experience of uniformed service, their life and situation. In the face of the strain placed on families by operational tempo, the CHC delivers support which enhances family life and strengthens family values, reinforcing a proper work-life balance. The CHC inspires the people of DON to represent the organization proudly through volunteerism and community service, presenting a balanced image of American forces, to include their humanity. In a world in which religion plays a significant role not just privately and individually, but publicly, corporately and politically, the CHC offers a measured and balanced approach to advisement. The CHC is recognized by the American public and religious organizations as the DON's good faith effort to properly balance the religious requirements and basic human needs of Sailors and Marines with mission accomplishment. The CHC's unique balance of capabilities, professionalism, principles, history, and exciting future make it an essential element in the DON's strategy for the 21st century.

¹ "Instruments of Accommodation: The Military Chaplaincy and the Constitution" Ira C. Lupu and Robert W. Tuttle, American Constitution Society for Law and Policy, West Virginia Law Review, Feb 2008, p 90-2

² Memorandum from Commandant, USMC, to Chaplain, USMC, 4 SEP 07, Ser 1000 (see Appendix D)

³ Memorandum from CNO to Chief of Chaplains, 15 Feb 08, Ser N00/100008 (see Appendix C)

⁴ Secretary of the Navy Memorandum for the Chief of Chaplains/Director of Religious Ministries, 22 February 2008 (see Appendix B)

⁵ Lupu and Tuttle, p 90

⁶ Though this sentiment today seems limited to the blogosphere, during the Vietnam War era it was much more prevalent among mainstream commentators. See TIME, 30 May, 1969 article

“Clergy: Honest to God – Or Faithful to the Pentagon?”

<http://www.time.com/time/magazine/article/0,9171,840126,00.html>

⁷ See the expressly evangelical emphasis of such organizations as Chaplaincy of Full Gospel Churches, a military chaplain endorsing agent which utilizes Matthew 28:19, “Go and make disciple of all nations” as its mission statement.

<http://www.chaplaincyfullgospel.org/military.aspx>

⁸ Characterized by adherents as “ecumenical,” this point of view is most readily apparent in British and Canadian chaplaincies, but seems to be gaining momentum in hospital chaplaincy in the U.S.

⁹ For the complete text, see Appendix A

¹⁰ For more information on the NPEG, see

<http://www.navyenterprise.navy.mil/knowledge/tools/npeg.aspx>

¹¹ NPEG, p vii

¹² Strategic Plan p 2

¹³ *Ibid*, p 3-4

¹⁴ *Ibid*, p 5

¹⁵ SNI 1730.7D draft dated xx yy zzzz, in the author’s possession. One might ask why a draft is quoted, rather than the published text. This passage did not survive the internal routing process, though the reasoning permeates the new policies.

¹⁶ Lupu and Tuttle, 119

¹⁷ Webster’s New Collegiate Dictionary, 7

¹⁸ DoD Inst 1300.17 p 2

¹⁹ Air Force Instruction 36-2903 states with regard to “Religious head covering: Indoors: *Installation commander* and chaplain may approve plain, dark blue or black religious head covering. Outdoors: Installation commander and chaplain may approve religious head covering which are concealed under headgear...” p 91. To the author’s knowledge, this policy is routinely implemented in such a way as to permit the wearing of the yarmulke and hijab indoors.

²⁰ Army Regulation AR 600-20 states that “Religious headgear may be worn while in uniform if the headgear meets the following criteria: 1. The religious headgear is subdued in color (generally black, brown, green, dark or Navy blue, or a combination of these colors). 2. The religious headgear is of a style and size that can be completely covered by standard military headgear. 3. The religious headgear bears no writing, symbols, or pictures. 4. Wear of the religious headgear does not interfere with the wear or proper functioning of protective clothing or equipment. 5. Religious headgear that meets these criteria is authorized irrespective of the faith group from which it originates. 6. Religious headgear will not be worn in place of military headgear under circumstances when the wear of military headgear is required (for example, when the Soldier is outside or required to wear headgear indoors for a special purpose).” p44-45. To the author’s knowledge, in practice this regulation has been interpreted to allow yarmulkes, but not hijabs or kufis. Navy regulations will be quoted at length later in this paper.

²¹ Marine Corps Order P1020.34G W/CH 1-4, p 1-7 states: “Subject to temporary revocation due to health, safety, or mission requirements, Marines may wear neat and conservative religious apparel items, as follows: a. Articles of religious apparel which are not visible or apparent when

worn with the uniform. b. Visible articles of religious apparel with the uniform while attending or conducting divine services or while in a chapel or other house of worship. c. Visible articles of religious apparel with the uniform which do not interfere with or replace required uniform articles.” To the knowledge of the author, in practice this means no religious headgear is to be worn outside of worship services.

²² TITLE 10 > Subtitle A > PART II > CHAPTER 45 > § 774. Religious apparel: wearing while in uniform

²³ DoDI 1300.17, p 4

²⁴ *Ibid*, p 4-5

²⁵ *Ibid*, p 5

²⁶ *Ibid*, p 1-2

²⁷ *Ibid*, p 5

²⁸ *Ibid*, p 5

²⁹ *Ibid*, p 6

³⁰ *Ibid*, p 6

³¹ *Ibid*, p 6

³² SECNAVINST 1730.8B, p 1

³³ *Ibid*, p 2

³⁴ Navy Regulations 0817. Observance of Sunday.

1. Except by reason of necessity or in the interest of the welfare and morale of the command, the performance of work shall not be required on Sunday, Except by reason of necessity, ships shall not be sailed nor units of aircraft or troops be deployed on Sunday. The provisions of this paragraph need not apply to commands engaged in training reserve components of the Navy and Marine Corps.

2. Divine services shall be conducted on Sunday if possible. All assistance and encouragement shall be given to chaplains in the conduct of these services, and music shall be made available, if practicable. Chaplains shall be permitted to conduct public worship according to the manner and forms of the church of which they are members. A suitable space shall be designated and properly rigged for the occasion, and quiet shall be maintained throughout the vicinity during divine services. The religious preferences and the varying religious needs of individuals shall be recognized, respected, encouraged and ministered to as practicable. Daily routine in ships and activities shall be modified on Sunday, as practicable, to achieve this end.

3. When there is no chaplain attached to the command, the commanding officer shall engage the services of any naval or military chaplain who may be available, or, failing in this, shall, when practicable, invite and may remunerate a civilian clergyman to conduct religious services. Services led by laypersons are encouraged. Provision shall be made for sending and receiving church parties as appropriate and practicable.

³⁵ CNO Diversity Statement, 2008

³⁶ <http://www.npc.navy.mil/CommandSupport/Diversity/>

³⁷ <http://www.redstone.army.mil/history/integrate/welcome.html>

³⁸ *Ibid*

³⁹ http://www.history.navy.mil/library/special/racial_incidents.htm

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- ⁴⁰ U.S. Congress. House. Committee on Armed Forces. Report by the Special Subcommittee on Disciplinary Problems in the US Navy. 92nd Cong., 2d sess., 1973, H.A.S.C. 92-81. Washington, DC: Government Printing Office, 1973.
- ⁴¹ Particularly the role of Admiral (later Cardinal) O'Connor
- ⁴² Lupu and Tuttle, 117
- ⁴³ SECNAVINST 1730.7D, p 6
- ⁴⁴ Lupu and Tuttle, 136
- ⁴⁵ *Ibid*, 136-7
- ⁴⁶ *Ibid*, 151
- ⁴⁷ *Ibid*, 140
- ⁴⁸ DoDI 1304.28, p 3 (see Appendix L)
- ⁴⁹ Lupu and Tuttle, 140
- ⁵⁰ *Ibid*, 160
- ⁵¹ PNC Guidebook draft available to author
- ⁵² CHC Community Ethos and Standards draft document, p 3-4
- ⁵³ Tuttle, 164
- ⁵⁴ Navy Regulations 0820. "Welfare of Personnel. The commanding officer shall: a. use all proper means to foster high morale, and to develop and strengthen the moral and spiritual well-being of the personnel under his or her command, and ensure that chaplains are provided the necessary logistic support for carrying out the command's religious programs to provide maximum opportunity for the free exercise of religion by members of the naval service...." This section goes on to discuss a Commander's responsibilities to maintain the crew's physical fitness, ensure open lines of communication up and down the chain of command, and ensure continuing education opportunities for the crew.
- ⁵⁵ SECNAVINST 1730.7D, p 5
- ⁵⁶ Reflected in the results of requirements validation meetings held on both coasts in 2008 and related to the author by participants
- ⁵⁷ SECNAVINST 1730.7D, p 5
- ⁵⁸ SECNAVINST 1730.7D, p 6
- ⁵⁹ SECNAVINST 1730.10, p 1-2
- ⁶⁰ DoDD 1300.19, p 2
- ⁶¹ SECNAVINST 1730.10, p 3
- ⁶² SECNAVINST 1730.7D, Enclosure 1, p 2
- ⁶³ Manuscript available to author
- ⁶⁴ Manual for Courts Marital, Part 3, Military Rules of Evidence, Rule 503
- ⁶⁵ SECNAVINST 1730.9, p 1
- ⁶⁶ *Ibid*, p 2
- ⁶⁷ Title 10, Subtitle C, Part 2, Chapter 555, Section 6031
- ⁶⁸ Navy Regulations Ch. 8, Section 0817, Observance of Sunday, quoted in its entirety above (see note 33)
- ⁶⁹ SECNAVINST 1730.7D, Enclosure 1
- ⁷⁰ SECNAVINST 1730.7C, p 5

⁷¹ SECNAVINST 1730.7C, p 5

⁷² SECNAVINST 1730.7D, p 7

⁷³ Lupu and Tuttle, p 94-115

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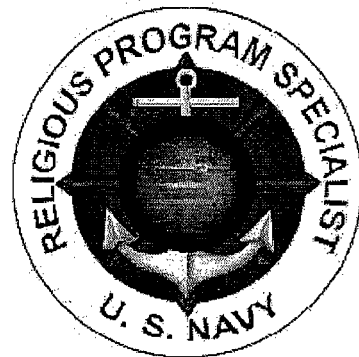
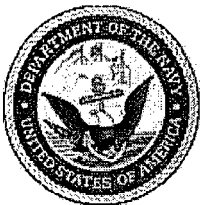
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CHIEF OF CHAPLAINS
US NAVY CHAPLAIN CORPS

RELIGIOUS MINISTRY

IN THE DEPARTMENT OF THE NAVY

STRATEGIC PLAN FOR FY 08-13



AUGUST 31, 2007

PREPARED BY:
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FOREWORD

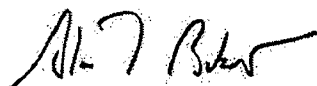
The 2006 Quadrennial Defense Review makes clear that, “The complex strategic environment of the 21st century demands greater integration of forces, organizations and processes, and closer synchronization of actions.” To that end, the Navy is engaged in strategic planning that involves continuous organizational improvement and integrated, systemic transformation. For its part, since September 2006, the Chaplain Corps has remained heavily engaged in a strategic planning process backed and supported by the Chief of Navy Personnel and the Navy's Executive Learning Officer.

The Religious Ministry requirements of Sailors, Marines, and their family members are met and managed by Navy Chaplains and Religious Program Specialists, specially trained and uniquely qualified personnel who are integral to the Sea Services. Strategically, the Chaplain Corps anticipates a number of critical opportunities and challenges as it adapts to meet current and near-term conditions. These opportunities and challenges derive from shifts in national religious demographics, continuing evolution of the Navy Enterprise concept, emerging changes in our Navy mission, specific Chaplain Corps recruiting and retention challenges, re-imagining of the RP rating, and the overdue need to expand performance measures and metrics.

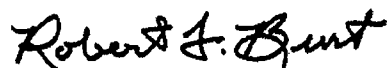
Our focus in this iteration of the continuing strategic planning process is to document our Mission and Vision, articulate our capabilities, and define our long-term goals and strategies (for the next 3-5 years). An additional critical step is to identify the risks associated with the execution of this plan and develop strategies to mitigate those associated risks. The Chief of Naval Operations and Commandant of the Marine Corps both endorse the Chaplain Corps strategic plan which supports their commitment to deliver religious ministry to Sailors, Marines, and their families.

This year's process has included Religious Requirements Oversight Council meetings, the Chaplain Corps Strategic Planning Conference in January 2007, the Strategic Leadership Symposium in February, and the Fleet Ministry Strategic Planning Conference in August. To further promote collegiality and transparency, we have encouraged our leadership partners to challenge our assumptions and ideas, critically analyze this plan, and contribute their thoughtful feedback. Our plan incorporates recommendations and commentary from chaplains representing the valued diversity of our Corps of yesterday and today. It is our belief that the rigor and openness of the process have produced a strong consensus document.

Just as development of this plan has been collaborative, it is important to recognize that the successful execution of the Strategic Plan will require continued collaboration and commitment on the part of Commanders, Chaplains, and Religious Program Specialists. We thank you for your support thus far and rely upon your dedication to this process which will improve our ability to deliver Religious Ministry to those whom we are called to serve: Sailors, Marines, and their families.



ALAN T. BAKER
Rear Admiral, CHC, USN
Deputy Chief of Chaplains



ROBERT F. BURT
Rear Admiral, CHC, USN
Chief of Chaplains

INTRODUCTION TO STRATEGIC PLANNING

Strategic Planning for Religious Ministry in the Department of the Navy is an iterative process guided by the Navy Performance Excellence Guidebook (NPEG). The NPEG process, described in Figure 1, involves the preparation of a Strategic Plan. This published document completes step three. Steps one and two, the Organizational Profile and Organizational Assessment, have already been completed and are available on Navy Knowledge Online.

An effective Strategic Plan must identify a 3 to 5 year course toward achieving the organization's vision, and document the specific goals and strategies which will be used to navigate that course. This document sets goals for achieving the organization's vision and emphasizes the development of capabilities most critical to success. It documents the criteria that will be used when setting organizational priorities for development of capabilities and commits to the development of specific measures for each objective—measures that are observable, specific, and prioritized.

This plan seeks to resonate with all stakeholders as our intended outcomes remain linked and aligned to achieve clearly identified effectiveness goals and efficiency targets. The Strategic Plan is not an end in itself. Its intent is to provide the foundation for step four, execution planning for FY08, which will be identified and documented at a later date as Part II of the Strategic Plan.

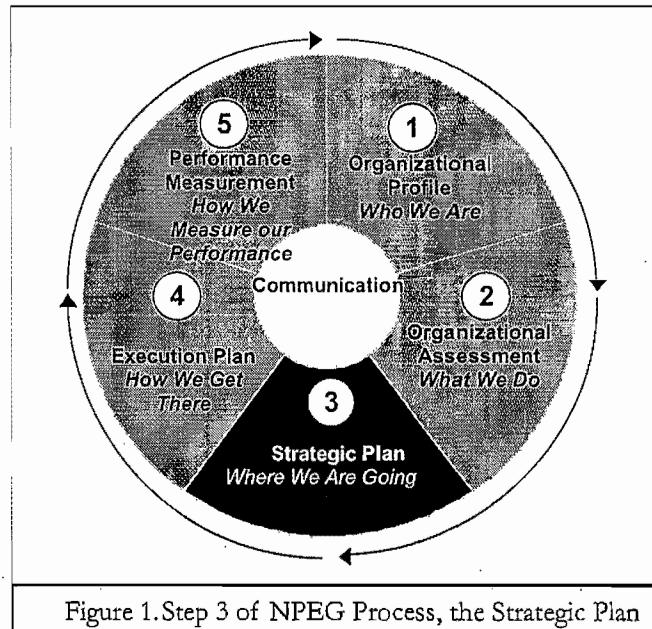


Figure 1. Step 3 of NPEG Process, the Strategic Plan

STRATEGIC PLAN

The Department of the Navy (DON) Strategic Plan for Religious Ministry documents the Chaplain Corps (CHC) Vision and Mission, defines the long-term goals (3-5 years) and strategies of the Corps, and acknowledges the risks associated with the execution of this plan. The Execution Plan, updated annually, is the “action plan” necessary to move the organization in the direction set forth by the Strategic Plan.

Consonant with Constitutional freedoms, Department of the Navy command religious programs (CRPs) recognize, respect, encourage, and minister to the religious needs of Sailors, Marines, and their family members. CRPs exist to ensure maximum opportunity for the free exercise of religion while simultaneously remaining cognizant of the Constitutional non-establishment provision. Commanding Officers are entrusted to offer Command Religious Programs (CRPs) tailored to accommodate religious needs in a pluralistic environment. This is to be done as practicable, and within the context of military service and mission. Navy chaplains are trained and assigned to offer advice and assistance in delivery of the CRP. CRPs encompass a wide range of activities and are delivered by the total force, including: active and reserve chaplains and Religious Program Specialists (RPs), uniformed lay leaders, contracted civilian clergy, other contracted personnel (directors of religious education, musicians, youth ministers, etc.), and civilian personnel (GS clinical pastoral counselors). The phrase “religious ministry” is used to encompass all validated capabilities provided by the total force. These capabilities are defined in the next paragraph.

Chaplain Corps capabilities are based upon established DON, United States Navy (USN) and United States Marine Corps (USMC) policy and doctrine. These capabilities have traditionally been summarized in this way: “chaplains provide for their own, facilitate for others, and care for all.” Chaplain Corps validated core capabilities also include the role of the chaplain as principal advisor to the commander for issues regarding the impact of religion on operations. The four core capabilities, described in Figure 2 below, are:

- **Facilitate** – Chaplains and RPs manage and execute command religious programs that accommodate diverse religious ministry requirements. Accommodation of individual and collective religious ministry requirements includes, but is not limited to, scheduling, coordinating, budgeting, and contracting.
- **Provide** – Chaplains professionally meet faith group specific needs, including worship services, religious/pastoral counsel, scripture study, and religious education. RPs are specially trained to support religious accommodation.

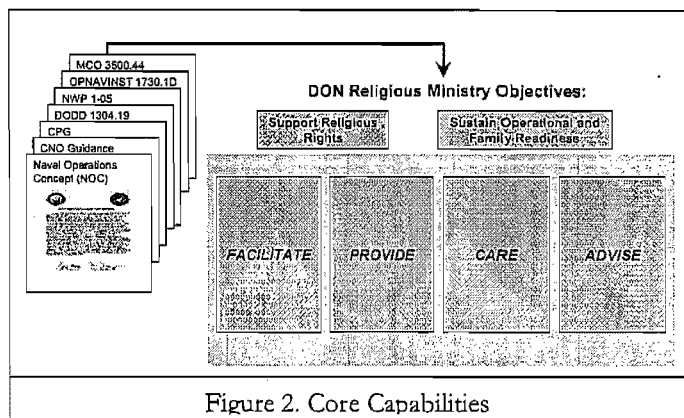


Figure 2. Core Capabilities

- **Care** – Chaplains are uniquely chartered to deliver specific institutional care, counseling, and coaching which attends to personal and relational needs outside of a faith group specific context. This includes relational counseling by chaplains which is motivated by their proximity and immediate presence, distinguished by confidentiality, and imbued with professional wisdom and a genuine respect for human beings. Such counseling is most effective when based on strong relationships developed in the context of shared life in the same unit. Examples of care include deck plate ministry, counseling, coaching on military life, pre- and post-deployment training for Sailors, Marines, and their families, crisis prevention and response, the CREDO program, memorial observances, and combat casualty ministry. RPs are uniquely trained and positioned to support the delivery of care individually and programmatically.
- **Advise** – Chaplains work directly with commanders on issues relating to morals, ethics, spiritual well being, and morale. Within the boundaries of their noncombatant status, chaplains advise commanders on the impact of religion on operations. Chaplains also train and educate leaders at all levels of the chain of command in moral and ethical decision making, cultural awareness, conflict resolution, and cross-cultural communications.

These approved capabilities reflect Chief of Naval Operations (CNO) and Commandant of the Marine Corps (CMC) articulated expectations for development of the Strategic Plan.

The Chaplain Corps faces a number of critical opportunities and challenges as it evolves to meet the current and future needs of Sailors, Marines, and their families. These opportunities and challenges derive from shifts in national religious demographics, evolutionary changes in Navy and Marine Corps structures and missions, shaping the proper Chaplain Corps force structure, managing specific Chaplain Corps recruiting and retention challenges, and the need to expand performance measures and metrics. As the Department of Defense continues to evaluate its structures and processes, seeking efficiencies, two questions must be asked: “How many chaplains and religious program specialists (RPs) do the Sea Services need?” and the follow-on, crucial question: “What are the religious ministry requirements?” In order to tackle those questions, the strategic planning process guides us through a series of questions about our organization. Among those questions are:

- Whom does the CHC serve?
- What are the needs and priorities of those the CHC serves?
- What capabilities does the CHC possess?
- How will the CHC develop and deliver competencies to chaplains and RPs as they meet the current and future needs of the force?
- How will the CHC know it is meeting its goals?

This document provides a framework for thoughtful analysis of questions like these. Documentation of that analysis supports actionable planning while increasing the likelihood of success in meeting vision, mission, and strategic goals.

RELIGIOUS MINISTRY VISION:

Mission-ready Sailors, Marines, and their families, demonstrating spiritual, moral, and ethical maturity, supported by the innovative delivery of religious ministry and compassionate pastoral care.

CHC MISSION:

A Chaplain Corps and RP rating which deliver religious accommodation, care, and advisement, to strengthen faith, values, and virtues, so that Sailors, Marines, and their families may best serve our country.

GUIDING PRINCIPLES:

As an organization comprised of individuals called to serve our Sailors, Marines, and their families, the Chaplain Corps' guiding principles reflect a commitment and dedication to the Core Values of the Department of the Navy. CHC strategies will continually be evaluated to ensure that they are implemented in accordance with the following guiding principles:

- Promote the spiritual well-being of Sailors, Marines, and their families, in accordance with the first amendment, by respecting and accommodating their diverse religious requirements.
 - Administer command religious programs that are comprehensive and support the free exercise of religion, while simultaneously honoring the Constitutional provision of non-establishment.
 - Accurately publicize and faithfully provide Divine Services, with each chaplain serving according to the manner and forms of his or her religious organization.
 - Perform professional duties in cooperation with chaplains and civilian religious ministry professionals from other religious traditions.
 - Recognize that our diversity within the Chaplain Corps is a strategic organizational strength and signals that the Navy and Marine Corps welcome the service of persons of diverse backgrounds.
- Demonstrate spiritual and moral integrity.
 - Hold chaplains to the highest standards of moral and ethical behavior.
 - Protect confidential communications, honoring the sacred trust placed upon chaplains by those whom they serve.
 - Offer informed and objective advice both up and down the chain of command.
 - Exercise supervisory responsibilities with the utmost commitment to the professional and personal development of subordinates.
- Model and teach that every person should be treated with human dignity.
 - Value, understand, and respect differences in gender, culture, race, ethnicity, and religion.
 - Promote communication and conflict resolution skills to build strong relationships with service members, family members, and communities with whom the Navy and Marine Corps interact throughout the world.

- Project Professionalism and Accountability.
 - Identify required capabilities and equip chaplains and Religious Program Specialists with the requisite competencies for success.
 - Develop, implement, and monitor policies, doctrine, measures of performance, and measures of effectiveness.
 - Implement a continuous planning process and a continuous improvement process in order to both project and plan for current, near-term, and long-term religious requirements.

ORGANIZATIONAL PROFILE:

In terms of the Navy Enterprise Construct, the Chaplain Corps is a provider and an enabler under the Manpower, Personnel, Training and Education (MPT&E) domain that delivers religious ministry to Sailors, Marines, and their families. The US Navy Chaplain Corps currently consists of approximately 1000 officers (including active duty and reserve components), commissioned as Navy chaplains. Religious Ministry is supported by more than 900 active-duty and reserve Religious Program Specialists. To meet the needs of the Navy, the Chaplain Corps accepts religious ministry professionals from over 100 religious organizations.

Currently, the distribution of active duty chaplains among Marine Corps, Coast Guard, and Navy assignments is approximately 287 Marine Corps, 525 Navy, and 38 Coast Guard. Expected tour duration is three years shore and two to two-and-a-half years sea, with one anticipated operational tour per pay grade through O-4. The billet distribution is roughly 45% sea (including Fleet Marine Force) and 55% shore based (including overseas). Chaplain and RP billets are owned and funded by the various Budget Submitting Offices and chaplains are assigned to a command and report to that local commander.

Delivery of religious ministry leverages chaplain knowledge, skills and abilities, to include the performance of all offices, functions, sacraments, ordinances, and ceremonies authorized by endorsing religious organizations. The Chaplain Corps employs multiple service delivery models ranging from the two-person Religious Ministry Teams (RMTs) serving with Marine Corps and Construction Battalions, to the nearly twenty religious ministry personnel assigned to support a Carrier Strike Group (CSG).

The strategies outlined in this Strategic Plan require assessments of all aspects of the organization to determine how the Chaplain Corps *should* look in regards to force structure, operating models, and service methodology. The complete CHC Organizational Profile is provided on the Chaplain Corps community site on Navy Knowledge Online.

STRATEGIC GOALS:

In order to accomplish the CHC mission, the Chief of Chaplains directs implementation of the following strategic goals:

Goal 1: Fulfill the religious ministry needs of those served - To achieve this goal, the CHC will strive to understand and articulate the current and future needs of the individuals and communities it is directed to serve. Continuous review and adaptation of service and delivery models is required in order to best meet those needs.

Goal 2: Sustain healthy active-duty and reserve component chaplain and RP communities – This goal requires an understanding of the full range of current and future manpower issues. A healthy and diverse community can best provide the range of skills and abilities required to meet the needs of Sailors, Marines and their families, as well as develop future community leadership.

Goal 3: Measure and report performance in a transparent manner - The CHC will develop meaningful measures and metrics. It will continuously assess and report its performance, both internally and externally, in the areas of process, programs, personnel, service, and value.

Goal 4: Communicate CHC value to all stakeholders - The CHC will clearly, thoughtfully, and intentionally communicate its value in a manner meaningful to each of the communities it serves.

STRATEGIES:

The following strategies detail how the CHC will achieve its goals. Each strategy will be implemented through planned tasks that will be updated at least annually in the form of an Execution Plan. While many of these strategies support multiple goals, they are categorized by the higher level goal they principally support.

- **Goal 1: Fulfill the religious ministry needs of those served.**
 - **Strategy 1.1: Accommodate religious requirements and support freedom of religious practice** - This strategy demonstrates commitment to the Constitutional responsibility to protect and advocate for the religious rights of all Sailors and Marines.
 - **Strategy 1.2: Ensure that service delivery is responsive to the needs of those served** - Chaplains and Religious Program Specialists must be prepared to operate under a wide variety of conditions, utilizing varied methods of delivery. As they maintain a strong link to the larger community, the CHC can better respond to the emerging needs and priorities of those it serves so that it can continuously improve operations and develop competencies and capabilities to meet these requirements. Requirements will be evaluated across all Chaplain Corps capabilities: *provision, facilitation, care, and advisement*. Figure 3 illustrates a validated prioritization of service to various communities in relation to budget and resource constraints.

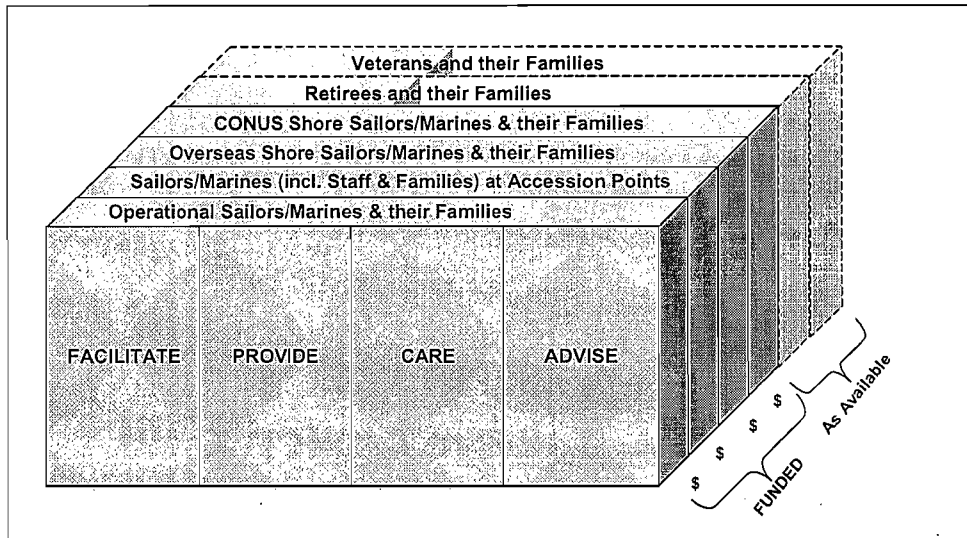


Figure 3. Validated depth and priority of service.

- **Strategy 1.3: Utilize total force options to respond to requirements** - The CHC will consider all available staffing options to meet the religious ministry needs of Sailors, Marines, and their families, to include active-duty and reserve chaplains and RPs, contracts for services, civilian personnel, and lay leaders.
- **Strategy 1.4: Continuously review, evaluate, revise and improve religious ministry programs and policies** - The CHC will formalize an assessment process and apply proven program management methods to determine effectiveness.
- **Goal 2: Sustain healthy active-duty and reserve component chaplain and RP communities.**
 - **Strategy 2.1: Define and manage the proper force structure and manpower policies for chaplain and RP communities** - The CHC will develop a billet structure, and recruit and train a diverse force, that optimize its ability to deliver the services required today and in the future.
 - **Strategy 2.2: Develop a comprehensive, fair career management approach** - The CHC will identify and develop talent capable of guiding religious ministry both now and in the future.
 - **Strategy 2.3: Intentionally mentor and care for chaplains and RPs** - CHC leadership will ensure that its own people have access to a support network similar to the one which they provide.

- **Goal 3: Measure and report performance in a transparent manner.**
 - **Strategy 3.1: Develop a balanced approach to measuring and reporting our performance** - Utilize a balanced scorecard approach to recognize and measure performance with an understanding of the tradeoffs between process, budget, personnel, service and value metrics. The CHC will evaluate and measure performance in each of its capability areas: *provision, facilitation, care, and advisement*.
- **Goal 4: Communicate CHC value to all stakeholders.**

Strategy 4.1: Develop a Religious Ministry Communication Plan – CHC will evaluate and implement the best ways to deliver its messages to those it serves. This plan will include not only external communication, but communication within the chaplain and RP community.

- **Strategy 4.2: Demonstrate the value of the Chaplain Corps** - CHC will effectively present the benefits of its services.

ASSESSMENT OF RISKS:

Risk management is a key to successful plan implementation as identified in the NPEG. Risks to implementation of this Strategic Plan will be evaluated in four categories, which will be used as a framework for identifying risks. Under each category examples of relevant risks currently affecting the Chaplain Corps are listed. These risks will be discussed in detail in the Execution Plan.

- **Political/Legal Risk** – Tension among stakeholders, or legal challenge.
 - Successful constitutional challenge
 - Legislative or statutory friction
 - Inter-service nonalignment
- **Financial/Resources Risk** – Goals surpass available human resources and/or funding.
 - Increasingly constrained resources
 - Prohibitive cost and staff requirements
- **Implementation Risk** - Organizational, process, or infrastructure obstacles compounded by challenges of phasing, lagging policy, billet structure, and funding, as well as iterative adjustments.
 - CHC leadership across the enterprises may not have the knowledge or will to sustain the effort
 - Stakeholders may not be convinced to support CHC based on their own cost-benefit analyses
- **Workforce/Personnel** – Knowledge gap and/or resistance.
 - Lack of training in additional competencies and skill sets
 - Potential resistance to delivering *care* or *advisement* services

The Chaplain Corps will utilize a risk management process to develop successful execution plans. Risks will be assessed and mitigated at the task level during the execution plan phase. The Chaplain Corps will utilize a 5 step process to manage task risks:

- **Identify Risks** - Use tools and personal knowledge to define the unknown and known problems. Utilize the risk categories outlined above to direct the risk identification process.
- **Assess Risks** - Quantify the risk. Risks are quantified using two measures, the probability of occurrence, and the severity of the impact. Probability should be measured from 1 to 5 (1 being not likely and 5 being near certainty). Severity is also measured from 1 to 5 (1 being minimal or no consequence and 5 being severe consequence). The probability and severity levels for each risk should be charted on a risk assessment matrix.
- **Analyze Risk** - Prioritize the risks. Depending on the risk's probability and severity measures, the risk assessment matrix will help assign a risk rating. These ratings range from high to low (red to green). The risk ratings will be used to prioritize risks based on varying needs for active mitigation (risks that require mitigation vs. monitoring).
- **Mitigate Risks** - For risks requiring mitigation, identify what can be done about the risk and plan actions.
- **Track Risks** - Monitor the risks and the progress on the mitigation plans.

NEXT STEP: EXECUTION PLAN

Once strategic planning is complete, the next step is action planning for the coming year. This annual action planning is the Execution Plan, and is the subject of the next section, step 4 of the NPEG. It answers the following questions: What needs to be done now? Who is responsible for doing it? Is it measurable? What is required to be successful?

The Execution Plan is a working document that details the organization's current focus and is updated every year. The point is to take the time to detail actions, responsibility, and resources necessary to achieve strategic goals, and monitor progress.

For updates and additional information on the world wide web, including the organizational assessment and profile, please see Navy Knowledge On Line: <https://wwwa.nko.navy.mil/portal>. The Chaplain Corps community information link is found in the drop down menu under organizations and communities: "Chaplain Corps."

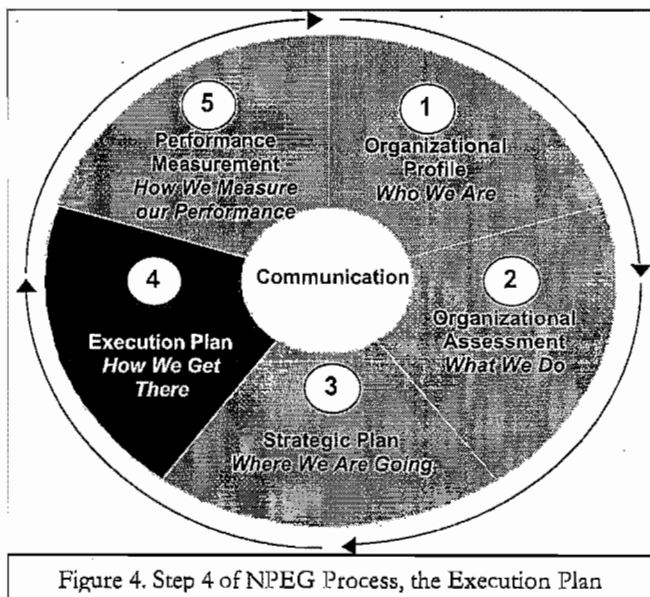


Figure 4. Step 4 of NPEG Process, the Execution Plan

APPENDIX A: DEFINITIONS

Advise – The capability by which Chaplains advise COs on issues relating to morals, ethics, spiritual well-being, and morale. Within the boundaries of their noncombatant status, chaplains advise on the impact of religion on operations. They train and educate leaders at all levels in moral decision-making, cultural awareness and cross-cultural communications.

Capabilities – The services an organization delivers to meet its mission.

Capacity – The amount of services an organization is able to deliver based on its current workforce.

Care - specific institutional support, counseling, and coaching for which Chaplains are uniquely chartered to deliver, which attends to personal, spiritual, and relational needs beyond a faith group specific context, including relational counseling by chaplains which is motivated by their immediate presence, distinguished by confidentiality, and imbued with professional wisdom and a genuine respect for human beings. RPs are uniquely trained and positioned to support the delivery of care individually and programmatically.

Chaplain - Qualified Religious Ministry Professionals (RMPs) endorsed by a DoD listed Religious Organization (RO) and commissioned as Naval officers in the CHC. An RMP is an individual endorsed by a DOD-listed RO, to represent the organization and to conduct its religious observances or ceremonies in the institutional settings of the Naval Services. An RMP is a fully qualified member of the clergy for those religious organizations that have a tradition of professional clergy or their equivalents.

Competencies – The skills and abilities required to deliver the capabilities and services of an organization.

Delivery models - methods and/or configurations by which religious ministry efforts may be organized (organic; hub and spoke; circuit rider; etc).

Enterprise – A term used to describe the Navy's philosophy of total synergy between the multiple facets of operations (Surface, Aviation, Under Sea, etc).

Execution Plan – A document which contains the detailed tasks during a current year to fulfill the objectives/strategies of the strategic plan.

Facilitate – The capability by which Chaplains and RPs manage and execute Command Religious Programs (CRPs) that accommodate diverse religious requirements.

Fleet Response Plan (FRP) – A plan which outlines the deployable status of the US Navy. As of 2003, the current FRP calls for six carrier strike groups to be deployable within 30 days, and two to be deployable within 90 days.

Goal – A high level strategic concept within a strategic plan which describes an organization's future desires.

Metric – A measurement which provides a snapshot of the performance of an organization's specific task.

Mission – A comprehensive description of an organization's purpose.

Navy Performance Excellence Guidebook (NPEG) – A Navy-developed management framework to guide commands through the perpetual cycle of improvement, including a five-step strategic planning process.

Organizational Assessment – An analysis of an organization's strengths, weaknesses, opportunities, capabilities, and performance.

Organizational Profile – A snapshot of the mission, core values, demographics, customers, and expectations of an organization.

Principle – A belief within an organization which details its values.

Provide – The capability by which Chaplains meet faith group-specific needs, including worship services, religious/pastoral counsel, scripture study, and religious education. RPs are specially trained to support the provision of religious accommodation.

Religious Ministry - Professional duties performed by Navy chaplains and designated personnel, to include providing for and/or facilitating required religious needs and practices.

Religious Ministry Team (RMT) – A team consisting of at least one chaplain and one RP (and potentially other support personnel) who provide religious ministry services.

Religious Program Specialist (RPs) - RPs are enlisted personnel who support chaplains in the planning, programming, administration, and coordination of the CRP. They also provide force protection and physical security for chaplains in operational environments.

Requirements – The services and corresponding workload placed on the Chaplain Corps as designated by a Budget Submitting Office (BSO) claimant.

Risk – The potential adverse outcomes or challenges an organization faces.

Strategic Plan – A document which contains an organization's vision, mission, and 3-5 year goals and objectives/strategies.

Validation – A review of requirements by stakeholders, particularly BSO claimants.

Vision – A description of an organization's guiding principles and beliefs.



THE SECRETARY OF THE NAVY
WASHINGTON, D.C. 20350-1000

February 22, 2008

MEMORANDUM FOR THE CHIEF OF CHAPLAINS/DIRECTOR OF RELIGIOUS
MINISTRIES

SUBJECT: Religious Ministry (RELMIN) in the Department of the Navy (DON)

One of my top priorities is the welfare of the Marines and Sailors who are making the sacrifices necessary for our victory in the Long War. Chaplains are present in all of my areas of responsibility. It is imperative that the Navy Chaplain Corps (CHC) be aligned and integrated with my plans to support our people. My intent for RELMIN in the Department is captured in the DON Strategic Plan for Religious Ministry FY08-13 and in the changes you have been effecting throughout the CHC and Religious Program Specialist (RP) Community. Our Sailors, Marines, and their families must be mission-ready with spiritual, moral, and ethical maturity. I expect them to be supported by the innovative delivery of religious ministry and compassionate pastoral care. Your mission is to ensure religious accommodation, deliver care, and offer advisement to strengthen the faith, values, and virtues of Sailors, Marines and their families so they may best serve our country. To that end, I concur with the core capabilities, priority and depth of service as articulated in the DON Strategic Plan for Religious Ministry.

Accordingly, I direct you to translate the content of the strategic plan into policy for my signature, that will define and govern the delivery of your four core capabilities:

- Care – I intend to promulgate a revised SECNAVINST 1730.7 charging chaplains to deliver institutional care, counseling and coaching which attends to personal, spiritual, and relational needs beyond a faith group specific context. Chaplain-delivered care should include counseling enhanced by immediate presence, distinguished by confidentiality, and imbued with professional wisdom and a fundamental respect for human beings.
- Facilitate – Prepare an instruction identifying chaplains as the uniquely trained agents of religious accommodation within DON who, supported by RPs, manage and execute Command Religious Programs (CRPs) that meet the diverse religious requirements of our people.
- Provide – Indispensable to the effectiveness of CHC ministry is the expectation of complete confidentiality by those seeking the counsel of a Chaplain. An instruction defining and protecting confidential communications with chaplains is a priority.

- Advise -- Develop an instruction defining the limitations of advisement that articulates the need to train and educate personnel in moral decision-making, cultural awareness and cross-cultural communications. Chaplains have always been called upon to advise Commanding Officers on issues relating to moral, ethics, spiritual well-being and morale. Increasingly they are being asked to advise on the impact of religion on operations.

I have four goals for the Navy Chaplain Corps:

- Take the best possible care of the men and women entrusted to us by implementing a continuous review of the services and delivery models offered by the Chaplain Corps.
- Create healthy Chaplain and RP communities in both the active and reserve components. This requires an understanding of the full range of current and future manpower issues. A healthy and diverse community can best provide the range of skills and abilities required to meet the needs of Sailors, Marines and their families.
- Measure and report performance in a transparent manner. Develop meaningful measures and metrics that quantify performance, both internally and externally, in the areas of process, programs, personnel, and service.
- Communicate the value of the Chaplain Corps to all stakeholders. Clearly and thoughtfully communicate your value in a manner meaningful to the communities you serve.

Your community is unique, with distinct responsibilities and rare opportunities. I am confident that the path we have chosen with the Strategic Plan is the right path for the Department and for the families who look to us for support as they serve and sacrifice for the sake of our Nation.



Donald C. Winter



DEPARTMENT OF THE NAVY
CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON DC 20350-2000

IN REPLY REFER TO

1730
Ser N00/100008
15 Feb 08

MEMORANDUM FOR CHIEF OF CHAPLAINS

Subj: RELIGIOUS MINISTRY IN THE NAVY

1. I am committed to the welfare of our Sailors and their families who are making the sacrifices necessary to win the Global War on Terrorism. The vision and mission statement of the Chaplain Corps align perfectly with my own. I ratify the Strategic Plan for Religious Ministry, including the priority and depth of service presented therein.

2. I recognize and validate the four core capabilities of the Chaplain Corps.

a. Care. Chaplains and Religious Program Specialists deliver institutional care, counsel, and coaching including non-faith-specific counsel by Chaplains which is immediate, confidential, and imbued with professional wisdom and a fundamental respect for human beings.

b. Facilitate. Chaplains and Religious Program Specialists manage and execute Command Religious Programs that accommodate our Nation's diverse religious requirements.

c. Provide. Chaplains meet faith-specific needs, including worship services, religious/pastoral counsel, scripture study, and religious education.

d. Advise. Chaplains advise Commanding Officers on issues relating to morals, ethics, spiritual well-being, morale, and advise on the impact of religion on operations, while training and educating leaders at all levels in moral decision-making, cultural awareness, and cross-cultural communications.

3. These are my goals for the Chaplain Corps.

a. Take the best possible care of the men and women entrusted to us by implementing a continuous review of the services and programs offered by the Chaplain Corps.

Subj: RELIGIOUS MINISTRY IN THE NAVY

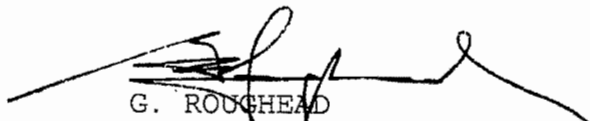
b. Create healthy Chaplain and Religious Program Specialists communities in both the active and reserve components, and build a diverse community that best provides the range of skills and abilities required to meet the needs of our Sailors and their families.

c. Develop meaningful measures and metrics that continuously assess and report performance, both internally and externally, in the areas of process, program, personnel, and service.

d. Effectively communicate the value of the Chaplain Corps to all stakeholders.

4. You are directed to coordinate with all Budget Submitting Offices to identify and validate requirements for religious ministry. Using the data, develop delivery models focusing on the value and importance of strong relationships. Develop measures of performance and effectiveness that will feed the iterative process to leverage successes and perpetuate improvements.

5. Continue to remain in dialog with me regarding the strategic implementation of religious ministry throughout the United States Navy.



G. ROUGHHEAD
Admiral, U.S. Navy



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

IN REPLY REFER TO:

1000

CMC

4 SEP 07

From: Commandant, U.S. Marine Corps

To: Chaplain, U.S. Marine Corps

Subj: RELIGIOUS MINISTRY IN THE MARINE CORPS

1. Marines and Sailors in combat are our number one priority. It is through their tremendous sacrifices and those of their fellow service men and women that we will ultimately prevail in this Long War. The support we provide them must be world-class, and our Chaplain Corps is an integral part of this.

Navy chaplains have had a unique bond with the Marine Corps in a large part due to their shared sacrifice with their Marines. Our chaplains gain credibility by being in the field with their Marines, enduring hardships, and being "forward" in the zone - to be there when a Marine needs counsel or advice most. I think this principle is a vital part of continued service to our Corps.

2. Our Marines, Sailors, and their families must be mission-ready with spiritual, moral, and ethical maturity that is supported by innovative delivery of religious ministry and compassionate pastoral care. To this end, I have validated the four core Chaplain Corps capabilities articulated in our meeting July 3, 2007.

a. Facilitate. Chaplains facilitate religious accommodation by managing and executing command religious programs that accommodate diverse religious requirements.

b. Provide. Chaplains personally provide worship services, religious/pastoral counsel, scripture study, and religious education within their faith traditions.

c. Care. Chaplains care for Marines and their families by delivering institutional ministry that attends to personal, spiritual, and relational needs outside of a faith group-specific context. Compassionate pastoral care extends beyond religious counseling. All chaplains must deliver a type of counseling, or coaching, which is motivated by their call to serve, distinguished by confidentiality, and imbued with wisdom and a fundamental respect for human beings.

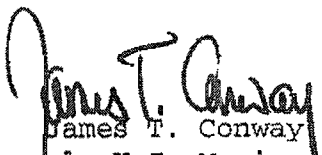
d. Advise. Chaplains advise leaders at all levels on issues relating to morals and ethics, spiritual well-being, morale, and the impact of religion on operations. Chaplains are a critical part of the process where Marines develop cultural understanding and make complex ethical decisions. Cultural understanding and ethical decision-making are critical to warfighting and winning the Long War.

3. Chaplains are organic to our commands and remain trusted confidants in both war and peace. During our long, shared history, chaplains have effectively delivered unique and essential services. I have every confidence that your Strategic Plan is yet another step in the right direction and that you will be able to successfully carry out your intentions.

4. To fulfill the commitment we have made to our Marines, Sailors, and families, transform the Strategic Plan into action on the ground:

- Ensure your recruiting, accessions, training, detailing, and retention initiatives develop a Chaplain Corps that reflects the diversity in our ranks and among our families - pay special attention to shortfalls.
- Move forward by developing and implementing a performance measurement system that can be used to quantify value and identify and control costs.
- Stay engaged with commanders to support the development of training initiatives that promote ethical decision-making in all ranks.
- Develop a communications plan that effectively articulates this vision to all stakeholders and interested parties - both in and outside the Marine Corps.

5. Keep me informed as to your progress. In our next meeting, I look forward to seeing your proposed concept of operations and way ahead.


James T. Conway
General, U.S. Marine Corps



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON, DC 20350-1000

SECNAVINST 1730.7C
N097
February 21, 2006

SECNAV INSTRUCTION 1730.7C

From: Secretary of the Navy

Subj: RELIGIOUS MINISTRY WITHIN THE DEPARTMENT OF THE NAVY

Ref: (a) Title 10, United States Code
(b) U.S. Navy Regulations, 1990
(c) DOD Directive 1304.19 of 11 Jun 2004
(d) DOD Instruction 1304.28 of 11 Jun 2004
(e) DOD Directive 5120.8 of 20 Mar 1995
(f) Manual for Courts-Martial, United States 2005
(g) DOD Directive 1300.17 of 3 Feb 1988
(h) DOD Directive 7000.14-R, Vol. 7A
(i) DOD Directive 5154.24 of 28 Oct 1986

Encl: (1) Definitions
(2) Confidential Communication to Chaplains and Religious Program Specialists
(3) Accommodation of Religious Practices

1. Purpose. To implement policy and procedures for religious ministry and the accommodation of religious practices in the Department of the Navy. This instruction has been administratively revised and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 1730.7B and SECNAVINST 1730.8A.

3. Scope. This instruction applies throughout the Department of the Navy (DON), including the Coast Guard when operating as a service in the Navy under Title 14, U.S. Code, Section 3.

4. Definitions. Enclosure (1) contains definitions of terms used in this instruction.

5. Organization and Role of Chaplain Corps

a. The Chief of Chaplains of the Navy is appointed in accordance with section 5142 of reference (a) and serves in the grade of rear admiral (upper half) as principal advisor, community leader, and sponsor on matters concerning Chaplain

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Corps (CHC) officers and Religious Program Specialists (RP) per Article 1009 of reference (b). As Director of Religious Ministry for the DON, the Chief of Chaplains:

(1) Advises the Secretary of the Navy on all matters pertaining to the free exercise of religion within the naval service. The Chief of Chaplains shall provide regular and frequent advice on:

(a) Religious, ethical, spiritual, and moral implications of all DON policies and actions.

(b) Religious faith-group policies and positions affecting the DON.

(c) All matters pertaining to the organization and utilization of the CHC as a staff corps of the Navy.

(d) All matters pertaining to the organization and utilization of RPs.

(e) Policy formulation and oversight pertaining to the implementation of religious ministry plans, programs, personnel, and facilities.

(2) Advises the Chief of Naval Operations (CNO) on all matters pertaining to the free exercise of religion within the Navy, serves as community leader for the Chaplain Corps and Religious Program Specialists, and otherwise assists the CNO. In this capacity, the Chief of Chaplains:

(a) Directs CHC officers, RPs, and all other designated persons engaged in religious ministry within the Navy, the USMC, and other governmental agencies receiving religious ministry from Navy chaplains.

(b) Serves as program sponsor for the professional development, education, and training of CHC officers and RPs.

(c) Provides technical advice for the acquisition, operation, and maintenance of religious ministry support facilities, collateral equipment, and other logistical support both ashore and afloat.

(d) Reports to and is supported by the Chief of Naval Personnel with respect to all duties pertaining to the

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procurement, distribution, and support of CHC officers and RP personnel.

(3) Serves on the Armed Forces Chaplains Board (AFCB) per reference (e). As a member of the AFCB, the Chief of Chaplains represents the Secretary of the Navy to:

(a) The Department of Defense (DOD).

(b) The Chiefs of Chaplains/Chaplain Services of other DOD components.

(c) The nation's religious organizations.

(4) Advises the Commandant of the Coast Guard on religious ministry matters relative to the use of Navy chaplains in the Coast Guard.

b. The Deputy Chief of Chaplains is an officer selected by a board to the billet, from officers of the Chaplain Corps, who serves in the grade of rear admiral (lower half) and performs such duties as prescribed by the Secretary of the Navy and law. The Deputy Chief of Chaplains:

(1) Serves as principal assistant to the Chief of Chaplains and Deputy Director for Religious Ministry for the DON.

(2) Serves as Chaplain of the Marine Corps, advising the Commandant of the Marine Corps (CMC) on religious ministry matters in reference to support, plans, programs, policy, personnel, and facilities within the USMC.

(3) In accordance with reference (e), serves as a member of the AFCB.

c. The Deputy Chief of Chaplains for Reserve Matters is an officer selected by a board to the billet, from reserve officers of the Chaplain Corps, who serves in the grade of rear admiral (lower half), in the reserve component, and performs such duties as prescribed by the Secretary of the Navy and law. The Deputy Chief of Chaplains for Reserve Matters:

(1) Serves as the principal assistant to the Chief of Chaplains for Reserve Matters.

(2) Advises the Chief of Chaplains on religious ministry

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matters in reference to administration, supervision, training, and mobilization of chaplains and Religious Program Specialists in the Reserve component.

d. Chaplains

(1) Chaplains are Qualified Religious Ministry Professionals (RMPs) endorsed by a Department of Defense (DOD)-listed Religious Organization (RO) and commissioned as CHC officers.

(2) As a condition of appointment, every RMP must be willing to function in a pluralistic environment in the military, where diverse religious traditions exist side-by-side with tolerance and respect. Every RMP must be willing to support directly and indirectly the free exercise of religion by all military members of the DON, their family members, and other persons authorized to be served, in cooperation with other chaplains and RMPs. Chaplains are trained to minister within the specialized demands of the military environment without compromising the tenets of their own religious tradition.

(3) In providing religious ministry, chaplains shall strive to avoid the establishment of religion to ensure that free exercise rights are protected for all authorized personnel.

(4) Chaplains will provide ministry to those of their own faith, facilitate ministry to those of other faiths, and care for all service members, including those who claim no religious faith. Chaplains shall respect the rights of others to their own religious beliefs, including the right to hold no beliefs.

(5) Chaplains advise commands in matters of morale, morals, ethics, and spiritual well-being. They also serve as the principal advisors to commanders for all issues regarding the impact of religion on military operations.

(6) Chaplains are non-combatants. Chaplains are not authorized to obtain weapons qualifications, warfare qualifications, or bear arms; however, chaplains who attained weapons or warfare qualifications during prior service as a combatant are authorized to wear their awards and/or warfare qualifications. Chaplains are eligible to qualify for and to wear the insignia of qualification designations such as Fleet Marine Force, Basic Parachutist, and Navy/Marine Parachutist.

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6. Responsibilities of Commanders

a. Commanders shall provide a Command Religious Program (CRP) in support of religious needs and preferences of the members of their commands, eligible family members and other authorized personnel. The CRP is supported with appropriated funds at a level consistent with other personnel programs within DON.

b. Chaplains will not be compelled to participate in religious activities inconsistent with their beliefs.

c. Commanders retain the responsibility to provide guidance for all command functions. In planning command functions, commanders shall determine whether a religious element is appropriate. In considering the appropriateness for including a religious element, commanders, with appropriate advice from a chaplain, should assess the setting and context of the function; the diversity of faith that may be represented among the participants; and whether the function is mandatory for all hands. Other than Divine/Religious Services, religious elements for a command function, absent extraordinary circumstances, should be non-sectarian in nature. Neither the participation of a chaplain, nor the inclusion of a religious element, in and of themselves, renders a command function a Divine Service or public worship. Once a commander determines a religious element is appropriate, the chaplain may choose to participate based on his or her faith constraints. If the chaplain chooses not to participate, he or she may do so with no adverse consequences. Anyone accepting a commander's invitation to provide religious elements at a command function is accountable for following the commander's guidance.

d. Commanders shall, when in a combat area, only assign, detail, or permit chaplains, as non-combatants under the Geneva Convention, to perform such duties as are related to religious ministry under Art. 1063 of reference (b).

e. Commanders shall not assign chaplains collateral duties that violate the religious practices of the chaplain's religious organization or that require services in a capacity in which the chaplain may later be called upon to reveal privileged or sensitive information.

f. Commanders shall not assign chaplains duties to act as director, solicitor, or treasurer of funds, other than administrator of a Religious Offering Fund; or serve on a court-martial; or stand watches other than that of duty chaplain.

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7. Confidential Communication to Chaplains and Religious Program Specialists. Enclosure (2), hereby incorporated by reference, sets forth DON policy on confidential communication to chaplains and RPs.

8. Accommodation of Religious Practices. Enclosure (3), hereby incorporated by reference, sets forth DON policy on accommodation of religious practices.

9. Responsibilities

a. The CNO shall exercise oversight to ensure compliance with this instruction and shall implement the policy in this instruction throughout the Navy. The CNO shall initiate action with the Commandant of the Coast Guard and the Administrator of the Maritime Administration to implement this policy when Navy Chaplains provide religious ministry to those agencies.

b. The CMC shall issue orders to implement this instruction throughout the Marine Corps.

Donald C. Winter
Secretary of the Navy

Distribution:
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<http://nedso.daps.dla.mil>

SECNAVINST 1730.7C
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DEFINITIONS

1. Command Religious Program (CRP). The comprehensive program of Religious Ministry that is planned, programmed, budgeted, and implemented to meet identified Religious Ministry requirements of a command.

2. Contract Religious Ministry Professional. A civilian RMP endorsed by a specific DOD-listed RO and contracted on a non-personal services basis using competitive procedures. These RMPs provide religious ministries for members of the military, their dependents, and other authorized persons of the contract RMP's religious organization. Commands shall assign a contracting officer's technical representative (COTR) to monitor contract RMP performance.

3. Divine Services. A term of art used in Section 6031 of reference (a) and Article 0817 of reference (b) to refer to public worship and religious services conducted afloat, in the field, or on military bases and installations by a military chaplain. Under reference (a), Commanders "shall cause divine services to be performed" and a chaplain has the right to conduct divine services "according to the manner and forms" of his or her religious organization. Divine Services are command functions, which take place according to the manner and forms of religious organizations. Participation in Divine Services shall be voluntary, with the exception of personnel present in an official support capacity.

4. Ecclesiastical Endorsing Agent. An individual authorized by an RO to provide or withdraw ecclesiastical endorsements on its behalf. Each RO is limited to a single Ecclesiastical Endorsing Agent. Policy regarding their visits to commands is provided in reference (d).

5. Public Worship. A term of art used in section 6031 of reference (a) that consists of Divine Services and Religious Services exclusively. Command functions, other than Divine/Religious Services, that include religious elements do not constitute public worship.

6. Religious Elements. Includes prayers, invocations, reflections, meditations, benedictions, or other religious or faith-based features traditionally or customarily incorporated in command functions other than Divine or Religious Services.

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7. Religious Ministry. The entire spectrum of professional duties performed by Navy chaplains, Religious Program Specialists (RPs), and designated personnel; to include providing for and/or facilitating required religious needs and practices.
8. Religious Ministry Professional (RMP). An individual endorsed by a DOD-listed RO, per reference (d), to represent the organization and to conduct its religious observances or ceremonies. An RMP is a fully qualified member of the clergy for those religious organizations that have a tradition of professional clergy or their equivalents.
9. Religious Organization - Under reference (d), an entity that is organized and functions primarily to perform religious ministries to a non-military lay constituency and that has met the religious purposes test of Section 501(c)(3) of Title 26, U.S. Code [2000], and holds current status as a Section 501(c)(3) Schedule "A" organization. Religious Organizations possess ecclesiastical authority to endorse and withdraw endorsement for Religious Ministry Professionals serving under their authority.
10. Religious Program Specialists (RP). RPs support chaplains in the planning, programming, administration, and coordination of the CRP. RPs are combatants who provide force protection and physical security for chaplains in operational environments.
11. Religious Services. Worship events conducted in the manner and forms of Religious Organizations and led by Lay Leaders, Contract Civilian Religious Ministry Professionals, or other authorized personnel. Participation in Religious Services shall be voluntary, with the exception of personnel present in a support capacity.

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CONFIDENTIAL COMMUNICATION TO CHAPLAINS
AND RELIGIOUS PROGRAM SPECIALISTS

1. Discussion. The unconstrained ability to discuss personal matters in complete privacy encourages full and complete disclosure by personnel and family members seeking chaplain assistance. Such disclosure establishes a sacred trust, facilitates increased morale and mission readiness, and benefits both the individual and the institution. The DON benefits from having personnel and family members who trust chaplains. The institution profits from the pastoral care given to its people. Pastoral care can only be done properly under the protection of confidential communications.

2. Definitions

a. Confidential Communication

(1) Confidential communication includes acts of religion, matters of conscience, and any other information conveyed to a chaplain in the chaplain's capacity as a spiritual adviser or to an RP in the RP's official capacity and is not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the purpose of the communication or to those reasonably necessary for the transmission of the communication.

(2) The confidential relationship extends beyond the end of the counseling relationship and beyond the death of the person making the disclosure.

(3) Confidential communication can be conveyed through oral or written means, including, but not limited to, letters and electronic media.

(4) All chaplains and RPs have the professional obligation to keep private all confidential communication disclosed to them in their official capacities, intended to be held in confidence, and made as an act of religion or a matter of conscience.

(5) Confidential communications can be made only to chaplains or RPs in their support role. Communication with Lay Leaders, Directors of Religious Education, and other support personnel are not confidential and are not included in this policy. Lay Leaders, Directors of Religious Education, and support personnel who inadvertently become aware of confidential

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communications must keep such matters confidential, and immediately refer the matter to a chaplain.

b. Privileged Communications. Privileged communications, a subset of confidential communications, is a legal term of art. The scope of the clergy-penitent privilege is defined in Military Rule of Evidence (MRE) 503 in reference (f).

3. Policy

a. The term "confidential communications" includes the legal recognition of the clergy-penitent privilege, all communications between uniformed chaplains and those who confide in them as an act of religion, a matter of conscience, or in their capacity as spiritual advisors. Commanders and chaplains are required to honor the confidential relationship between service personnel and military chaplains. This protection and obligation extends to military chaplains. This protection and obligation extends to RPs acting in their supporting role.

b. The unique role of military chaplains includes a sacred trust of maintaining absolute confidentiality. Therefore, chaplains and RPs are bound by this inviolable trust. Neither the holding of additional professional credentials, nor requirements imposed by state law, relieve the chaplain of this responsibility. Any authorized person who has access to a military chaplain or RP is covered by this policy.

c. In all relationships, including counseling and advisory, chaplains will inform all parties, including counselees and commanders, of the ramifications of this policy on confidentiality and privileged communication. Counselees have the right to make decisions pertaining to disclosure, free from coercion. If a chaplain recommends a referral to another agency, the chaplain will inform the counselee s/he may not have the same degree of confidentiality as with the chaplain.

d. Referrals. Consultation with and referral to another chaplain is permissible only with the written consent of the counselee.

e. Multiple Counselees. When multiple counselees (e.g., marriage and family) are parties to the same counseling session, chaplains will preserve confidentiality unless all parties consent to disclosure.

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f. **Conscientious Objection.** Conscientious objection assessment interviews directed by the Commanding Officer, are administrative functions, not counseling relationships. Therefore, they are not confidential communications and the interviewee shall be so informed. A chaplain who has a prior existing counseling relationship with a service member requesting designation as a conscientious objector shall not be appointed to evaluate that service member.

g. **Supervisory Role.** Chaplains may have responsibilities that involve administrative and disciplinary action with those whom they supervise. To safeguard confidential and privileged communication, chaplains in supervisory roles are to avoid entering into such communications with personnel they supervise. At the onset of the supervisory relationship, supervisors will inform those they supervise of these limitations on pastoral relationships. Personnel under the supervision of a chaplain are encouraged to make their confidential communication to a chaplain outside their chain of command.

h. **Counseling Records.** Records or notes compiled by a chaplain in his/her counseling duties are "work product" and considered confidential. As such, chaplains must secure any such records, in whatever medium or format, containing confidential communication. When no longer needed, they will be destroyed. When current or former counselees are referenced in consultation, supervision, or education, their identities must be thoroughly protected.

i. **Subpoena of Records.** If a subpoena or other demand for documents or media containing confidential communication is received, the chaplain or a representative will immediately contact, at a minimum, the servicing legal office, the chain of command, and the Chief of Chaplains.

4. Responsibilities

a. The Chief of Naval Operations and the Commandant of the Marine Corps shall implement the policies in this enclosure.

b. The Chief of Chaplains shall ensure that training occurs at entry level and periodically thereafter. Such training will enable chaplains to:

(1) Regularly brief their command structure on the ramifications of this policy.

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(2) Train personnel under their supervision including those not bound by this policy (such as volunteers, contractors, etc.).

c. Commanders are required to honor the confidential relationship between service personnel and military chaplains. Commanders shall:

(1) Not penalize a chaplain or RP for abiding within the parameters of this policy.

(2) Upon the death of a chaplain, appoint only a chaplain to review the decedent's files and destroy any confidential communications.

5. Action. Actions inconsistent with this policy may result in administrative or disciplinary action. Consequences may include, but are not limited to, loss of chaplain or RP credentials, and/or action under applicable provisions of the Uniform Code of Military Justice or the Military Personnel Manual.

ACCOMMODATION OF RELIGIOUS PRACTICES

1. Purpose. To provide policy and guidance for the accommodation of religious practices within the DON under reference (g).

2. Applicability. The policies and procedures in this instruction apply solely to the accommodation of religious practices within the DON and no other context.

3. Definitions

a. Department of the Navy. The DON, for purposes of this enclosure, includes applicants for entry to and members of the Navy, Navy Reserve, Marine Corps, Marine Corps Reserve, as well as midshipmen at the U.S. Naval Academy and Reserve Officer Training Corps, and officers and officer candidates in all officer accession programs.

b. Religious Observance. Religious observances include participating in worship services and following other doctrinal requirements on Sabbath and holy days.

c. Religious Dietary Observances. Religious dietary observances include doctrinal or traditional requirements on types of foodstuffs or the means of preparation.

d. Religious Apparel. Religious apparel is defined as articles of clothing worn as part of the doctrinal or traditional observance of the religious faith practiced by the service member. Hair and grooming practices required or observed by religious groups are not included within the meaning of religious apparel.

e. Religious Medical Practices. Religious medical practices include doctrinal or traditional objections to receiving immunizations and providing Deoxyribonucleic Acid (DNA) specimen samples.

4. Policy. DON policy is to accommodate the doctrinal or traditional observances of the religious faith practiced by individual members when these doctrines or observances will not have an adverse impact on military readiness, individual or unit readiness, unit cohesion, health, safety, discipline, or mission accomplishment.

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a. Accommodation of a member's religious practices cannot be guaranteed at all times but must depend on military necessity. Determination of necessity rests entirely with the commanding officer.

b. The guidelines in this instruction shall be used in the exercise of command discretion concerning the accommodation of religious practices. Nothing in these guidelines, except as expressly provided herein, shall be interpreted to require a specific form of accommodation in individual circumstances.

5. Religious observances shall be accommodated, except by reason of necessity, as provided in reference (b). Except by reason of necessity commanders should avoid scheduling conflicts with major religious observances.

6. Dietary Observance. Commanders normally accommodate religious dietary requirements through subsistence in kind. Subsistence in kind includes serving of appropriate meals or issuing of Meals Ready to Eat, Religious, specifically designed to meet religious requirements. Commanders may authorize separate rations within the guidelines of reference (h). In acting on requests for separate rations, the religious doctrines and traditions of the member's religious faith should be considered on the same basis as other personal reasons for separate rations. To the extent that health, safety, or readiness in the unit is not compromised, commanding officers may authorize individuals to provide their own supplemental food rations at sea or in the field environment to accommodate the doctrinal or traditional observances of their religious faith.

7. Immunizations. Immunization requirements may be waived when requested by the member based on the doctrinal or traditional practices of the religious faith practiced by the service member.

a. The religious objection of the service member must be balanced against the medical risk to the member and the military unit, and military requirements such as alert status, deployment potential, and availability of the member for reassignment to units requiring full medical readiness. To provide for consistent application of these guidelines, immunization waivers will be decided by the Surgeon General of the Navy or headquarters level designee. Individual requests shall be submitted to Chief, Bureau of Medicine and Surgery (MEDCOM-24), via the commanding officer and Chief of Naval Operations (CNO) (N1/NT) or Commandant of the Marine Corps (CMC) (DCS (M&RA)), as appropriate.

b. Commanding officers may subsequently revoke waivers for service members at imminent risk of disease due to exposure or to conform to international health regulations incident to foreign travel or unit deployment. The guidance in paragraph 11.b on irresolvable differences must be considered in such circumstances.

8. Deoxyribonucleic Acid (DNA) Specimen Sampling

a. Requests for waiver of the DNA specimen sample requirement will be decided by CNO (N1/NT) or CMC (DCS (M&RA)). Individual requests shall be submitted to CNO (N1/NT) or CMC (DCS (M&RA)), as appropriate, via the commanding officer.

b. When determining whether to grant a request for waiver on religious grounds, the five factors contained in paragraph 11.a as supplemented by the following shall be considered:

(1) DNA analysis fulfills the military requirement of quickly and accurately identifying the remains of service members under reference (i). DNA analysis is not conducted on the specimen unless necessary for identification of remains or for other narrowly defined purposes. The specimen sample will be destroyed at the request of the member upon completion of service.

(2) Regarding the cumulative impact of repeated accommodations of a similar nature and previous treatment of similar requests, consider whether granting an accommodation sets a precedent that could adversely impact on other Department of Defense medical policies and programs, including mandatory pre-deployment processing, medical screening activities, HIV testing and medical surveillance program serum collection.

9. Uniforms

a. Religious items or articles not visible or otherwise apparent may be worn with the uniform, provided they do not interfere with the performance of the member's military duties or interfere with the proper wearing of any authorized article of the uniform.

b. Visible items of religious apparel may be authorized for wear with the uniform, except when the item is not neat and conservative, its wearing will interfere with the performance of the member's military duties or is specifically prohibited in

subparagraphs 10d and 10e. In the context of the wearing of a military uniform, "neat and conservative" items or religious apparel are those that:

- (1) Are discreet, tidy, and not dissonant or showy in style, size, design, brightness or color.
- (2) Do not replace or interfere with the proper wearing of any authorized article of the uniform.
- (3) Are not temporarily or permanently affixed or appended to any article of the uniform.

c. The standards in subparagraph 10b, and the prohibitions in subparagraphs 10d and 10e, are intended to serve as a basis for determining a service member's entitlement to wear religious apparel with the uniform. For example, unless prohibited by subparagraph 10d or 10e, religious headgear of a style and size that can be completely covered by standard military headgear may be worn with the uniform whenever a military cap, hat, or other headgear is not prescribed. It may also be worn underneath military headgear as long as it does not interfere with the proper wearing, functioning, or appearance of the prescribed headgear.

d. Whether an item of a religious apparel interferes with the performance of the service member's military duties depends on the characteristics of the item, the circumstances of its intended wear, and the particular nature of the member's duties. Factors in determining if an item of religious apparel interferes with the military duties include, but are not limited to, whether the item may;

- (1) Impair the safe and effective operation of weapons, military equipment, or machinery.
- (2) Pose a health or safety hazard to the wearer or others.
- (3) Interfere with the wearing or proper functioning of special or protective clothing or equipment (e.g., helmets, flak jackets, flight suits, camouflage uniforms, gas masks, wet suits, and crash and rescue equipment).
- (4) Otherwise impair the accomplishment of the military mission.

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e. Visible items of religious apparel shall not be worn while wearing historical or ceremonial uniforms; participating in review formations, parades, honor or color guards and similar ceremonial details and functions.

f. Jewelry bearing religious inscriptions or otherwise indicating affiliation or belief may be worn subject to the same uniform regulations prescribed for jewelry that is not of a religious nature.

g. Chaplains may wear any religious apparel required by their religious organizations with the uniform while conducting worship services and during the performance of rites and rituals distinct to their faith groups.

h. Service members may wear any required religious apparel distinct to their faith group with the uniform while in attendance at organized worship services.

i. To ensure consistency of application, the CNO and CMC may authorize visible items of religious apparel, within the guidelines in this instruction. This authority may be delegated within their headquarters staffs. Requests to authorize a type of religious apparel not previously authorized shall be submitted to service headquarters for approval under procedures specified by CNO or CMC. CNO and CMC will provide an information copy of the approval or denial to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)).

j. Subject to the guidelines in subparagraph 4d, and the limitations in subparagraphs 10b, 10d, 10e and 10i, commanding officers may approve individual requests for wearing authorized visible religious apparel with the uniform. In any case in which a commanding officer denies a request to wear an item of religious apparel with the uniform, the member shall be advised of the right to request a review of that refusal by CNO or CMC, as appropriate, via the chain of command. When such review is requested, the review shall occur within 30 days following the date of request for cases arising in the United States, and within 60 days for all other cases. Exceptions to these deadlines shall be limited to unusual circumstances. Visible items of religious apparel may not be worn with the uniform until approved.

10. Responsibilities

a. Commanders will respond to requests for accommodation in a just and timely manner, supporting religious freedom and

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respect for religious diversity within the Sea Services.

b. Commanders and commanding officers may approve requests for religious accommodation within the guidelines of this instruction. To promote standard procedures for resolving difficult questions involving accommodation of religious practices, commanding officers shall consider the following factors:

(1) The importance of military requirements, including individual readiness, unit readiness, unit cohesion, health, safety, morale, and discipline.

(2) The religious importance of the accommodation to the requester.

(3) The cumulative impact of repeated accommodations of a similar nature.

(4) Alternative means available to meet the required accommodation.

(5) Previous treatment of the same or similar requests, including treatment of similar requests made for other than religious reasons.

c. When requests are precluded by military necessity, commanders should seek reasonable alternatives.

d. When requests for accommodation are not in the best interests of the unit but continued tension between the unit's requirements and the individual's religious beliefs is apparent, administrative action is authorized, but not limited to:

(1) Reassignment, reclassification or separation consistent with Secretary of the Navy (SECNAV) and Service regulations.

(2) Nothing in this instruction precludes action under the Uniform Code of Military Justice in appropriate circumstances.

11. Information and Education

a. The CNO and CMC shall provide DON policy on accommodation of individual religious practices and military requirements in paragraphs 5 and 5a of this enclosure to

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applications for commissioning, enlistment and reenlistment, and shall require the member's signature acknowledging the DON policy.

b. The CNO and CMC shall incorporate relevant materials on religious traditions, practices, policies, this instruction, and reference (a), in curricula for command, judge advocate, chaplain and similar courses of instruction and orientations.

12. Action

a. ASN (M&RA) is responsible for overall policy control and program execution.

b. The CNO and CMC shall implement the policies and procedures in this enclosure.

c. The CNO and CMC shall revise Service regulations governing uniforms, food service, separate rations, immunizations, and DNA sampling to conform to this instruction within 90 days from the date of this instruction. Provide copies of each such regulation revision to ASN (M&RA).



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N097
August 8, 2008

SECNAV INSTRUCTION 1730.7D

From: Secretary of the Navy

Subj: RELIGIOUS MINISTRY WITHIN THE DEPARTMENT OF THE NAVY

Ref: (a) Title 10, United States Code
(b) U.S. Navy Regulations, 1990
(c) DoD Instruction 5120.08 of 20 Aug 07
(d) DoD Instruction 1304.28 of 11 Jun 04
(e) SECNAVINST 1730.9
(f) DoD Directive 1304.19 of 11 Jun 04

Encl: (1) Definitions

1. Purpose. As advocates of spiritual, moral, and ethical maturity and resiliency, Navy Chaplains are essential to the Department of the Navy's (DON's) effort to assist Service members, their families, and other authorized personnel in coping with military life. This instruction implements policy and procedures for religious ministry in the DON. This instruction has been administratively revised and should be reviewed in its entirety.

2. Cancellation. SECNAVINST 1730.7B. SECNAVINST 1730.7C was rescinded by direction of the Secretary of the Navy in ALNAV 081/06.

3. Scope. This instruction applies throughout the DON, including the Coast Guard when operating as a Service in the Navy under Title 14, U.S. Code, Section 3.

4. Definitions. Enclosure (1) contains definitions of terms used in this instruction.

5. Organization and Roles

a. The Chief of Chaplains of the Navy (N097) is appointed in accordance with Section 5142 of reference (a) and serves in the grade of rear admiral (upper half) as principal advisor, community leader, and advocate on matters concerning religious accommodation and the delivery of religious ministry per Article

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1009 of reference (b). As Director of Religious Ministry for the DON, the Chief of Chaplains:

(1) Advises the Secretary of the Navy on all matters pertaining to religion within the Naval Services, in particular religious rights, the free exercise of religion and protection from establishment of religion. Serves as primary spokesperson on Professional Naval Chaplaincy (PNC). The Chief of Chaplains shall provide regular and frequent advice on:

(a) Religious, spiritual, ethical, and moral implications of all DON policies and actions.

(b) Religious Organization (RO) policies and positions affecting the DON.

(c) All matters pertaining to the organization and utilization of the Chaplain Corps (CHC) as a staff corps of the Navy.

(d) All matters pertaining to the organization and utilization of Religious Program Specialists (RPs).

(e) Formulation and oversight of policy pertaining to religious program personnel (to include Contract Religious Ministry Professionals (CRMPs)), facilities, funds, and the implementation of religious ministry plans and programs.

(2) Advises the Chief of Naval Operations (CNO), the Commandant of the Marine Corps (CMC) and the Commandant of the Coast Guard (CCG) on all matters pertaining to religion within the Navy, United States Marine Corps (USMC), and United States Coast Guard (USCG).

(3) Serves as community leader for the CHC and RPs, and otherwise assists the CNO, CMC, and CCG. To facilitate community leadership, all echelon 2 chaplains and RPs shall be assigned additional duty on the CNO Chief of Chaplains of the Navy (N097) staff. As community leader, the Chief of Chaplains:

(a) Directs religious ministry within the Navy, USMC, USCG, and other authorized governmental agencies receiving religious ministry from Navy assets.

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(b) Takes primary responsibility for DON strategic planning with regard to religious ministry.

(c) Establishes and/or approves policy for religious ministry, Command Religious Programs (CRPs), the Chaplains Religious Enrichment Development Operation (CREDO), the Religious Offering Fund (ROF) system, and any other policies or programs which utilize Religious Ministry Team (RMT) personnel.

(d) Provides technical advice for the acquisition, operation, contracting, and maintenance of religious ministry support facilities, collateral equipment, and other logistical support both ashore and afloat.

(e) Formulates and/or approves policy applying Section 1789 of reference (a) to support the families of Service members.

(f) Reports to and is supported by the Chief of Naval Personnel with respect to all duties pertaining to the procurement, distribution, and support of CHC officers and RPs.

(g) Formulates and interprets policy on religious ministry pertaining to standards of conduct and performance of religious ministry, to include recommendations for disciplinary action when appropriate.

(h) Is responsible for the professional development, education, and training of CHC officers and RPs.

(i) Establishes policy regarding CHC insignias.

(4) Serves on the Armed Forces Chaplains Board (AFCB) per reference (c). As a member of the AFCB, the Chief of Chaplains represents the Secretary of the Navy to:

(a) The Department of Defense (DoD).

(b) The Chiefs of Chaplains/Chaplain Services of other DoD components.

(c) The endorsing agents of the nation's ROs.

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b. The Deputy Chief of Chaplains is an officer selected by a board to the billet, from officers of the CHC, who serves in the grade of rear admiral (lower half) and performs such duties as are prescribed by the Chief of Chaplains and by Navy policy. The Deputy Chief of Chaplains:

(1) Serves as principal assistant to the Chief of Chaplains and as Deputy Director for Religious Ministry for the DON.

(2) Serves as Chaplain of the Marine Corps, advising the CMC on religious ministry matters in reference to support, personnel, plans, programs, policy, and facilities within the USMC.

(3) In accordance with reference (c), serves as a member of the AFCB.

c. The Deputy Chief of Chaplains for Reserve Matters is an officer selected by a board to the billet, from reserve officers of the CHC, who serves in the grade of rear admiral (lower half) in the reserve component, and performs such duties as prescribed by the Chief of Chaplains and Navy policy. The Deputy Chief of Chaplains for Reserve Matters:

(1) Serves as principal assistant to the Chief of Chaplains for reserve matters.

(2) Advises the Chief of Chaplains and the Commander Navy Reserve Forces on religious ministry matters in reference to administration, supervision, training, and mobilization of chaplains and RPs in the Reserve Component.

d. Command Master Chief/Senior Enlisted Leader of the RP rating:

(1) Serves as principle enlisted advisor to the Chief of Chaplains and Deputy Chief of Chaplains.

(2) Advises on all matters pertaining to the RP rating.

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e. Chaplains

(1) Chaplains are qualified Religious Ministry Professionals (RMPs) endorsed by a DoD-listed RO and commissioned as Naval officers in the CHC.

(2) Per reference (d), as a condition of appointment, every RMP must be willing to function in the diverse and pluralistic environment of the military, with tolerance for diverse religious traditions and respect for the rights of individuals to determine their own religious convictions. Chaplains must be willing to support the free exercise of religion by all Service members, their families, and other authorized persons. Chaplains are trained and expected to cooperate with other chaplains and RMPs and work within the specialized environment of the military while not compromising the tenets of their own religious traditions.

(3) To meet the requirements of religious accommodation, morale and welfare, and to facilitate the understanding of the complexities of religion with regard to its personnel and mission, the DON has designated four core CHC capabilities: care, facilitate, provide, and advise. Chaplains care for all Service members, including those who claim no religious faith, facilitate the religious requirements of personnel of all faiths, provide faith-specific ministries, and advise the command.

(a) Care. Chaplains are uniquely qualified to deliver specific institutional care, counseling, and coaching, which attend to personal and relational needs outside of a faith group-specific context. This includes relational counseling by chaplains which is motivated by their proximity and immediate presence, distinguished by confidentiality (per reference (e)), and imbued with professional wisdom and genuine respect for human beings. Such counseling is most effective when based on strong relationships developed in the context of shared life in the same unit. Some examples of care include deck plate ministry, counseling, coaching on military life, pre- and post deployment training for Service members and their families, crisis prevention and response, the CREDO program, memorial observances, and combat casualty ministry. Chaplains also strengthen community life by delivering training and education to Service members and other authorized personnel.

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(b) Facilitate. Chaplains manage and execute CRPs that accommodate diverse religious ministry requirements. Accommodation of individual and collective religious ministry requirements includes, but is not limited to: scheduling, budgeting, contracting and coordinating to include the management of volunteers and lay leaders.

(c) Provide. Based upon their professional credentials, ecclesiastically endorsed and commissioned chaplains meet faith group-specific needs, including worship services, sacraments, rites, ordinances religious and/or pastoral counsel, scripture study, and religious education.

(d) Advise. Chaplains strengthen the chain of command and assist in the development of leadership by providing advice to leaders at all levels. Chaplains serve as principal advisors to commanders for all matters regarding the CRP within the command, to include matters of morale, morals, ethics, spiritual well-being, and emerging religious requirements. Under reference (f), chaplains serve as an advisor to commanders on the impact of religion on military operations, within the boundaries of their non-combatant status.

(4) Chaplains are non-combatants. It is DON policy that chaplains are not authorized to obtain weapons qualifications, warfare qualifications, or bear arms; however, they are authorized to wear warfare or weapons qualification insignia obtained during prior service as a combatant. Chaplains are eligible to qualify for and to wear the insignia of qualification designations such as Fleet Marine Force, Basic Parachutist, and Navy/Marine Parachutist.

f. Religious Program Specialists. RPs are integral to the delivery of religious ministry in the DON. They, along with their chaplains, comprise the RMT responsible for the daily delivery of religious ministry. As part of an RMT, RPs work in direct support of DON chaplains. RMTs support, manage and execute the CRP. RP functional areas include: ministry support and accommodation, pastoral care support, command advisement, expeditionary ministry support, finance and accounting, and shipboard library administration. The functional areas are aligned to meet the command's religious ministry requirements to accommodate religion, support morale and welfare, and understand

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the complexities of religion with regard to personnel and mission.

(1) RPs are trained to accommodate religious ministry requirements by facilitating the free exercise of religion and supporting the provision of religious ministry. RPs support the delivery of care through pastoral triage, referrals, professional military counseling, charting, and explaining the types of ministry available. RPs play an integral role in advising leadership on the impact of the CRP. RPs in expeditionary environments are combatants who provide force protection expertise for RMTs.

(2) Every RP must be willing to function in the diverse and pluralistic environment of the military, with tolerance for diverse religious traditions and respect for the rights of individuals to determine their own religious convictions. RPs must be willing to support the religious rights of all authorized persons.

6. Responsibilities of Commanders

a. Commanders shall provide a CRP which accommodates the religious needs, preferences, and rights of the members of their commands, eligible family members and other authorized personnel. The CRP is supported with appropriated funding at a level consistent with other personnel programs within DON, sufficient to execute the commander's mission and intent.

b. Commanders shall ensure the chaplain's direct access to the commander as provided in Article 1151 of reference (b).

c. Attendance at divine services shall be voluntary. Personnel present in an official support capacity are not considered attendees.

d. Consistent with DON policy on religious accommodation and the protections mandated by reference (a), commanders shall determine whether religious elements as defined in enclosure (1) shall be included in command functions.

e. Commanders shall not compel chaplains to act in a way that is inconsistent with the tenets of their faith. When invited to deliver religious elements at command functions, if

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the chaplain chooses not to participate, he or she may do so without adverse consequences.

f. When in a combat area, commanders shall only assign, detail, or permit chaplains, as non-combatants under the Geneva Convention, to perform such duties as are related to religious ministry under Article 1063 of reference (b) and as defined in enclosure (1).

g. Commanders shall not assign chaplains collateral duties that violate the religious practices of the chaplain's RO or that require services in a capacity in which the chaplain may later be called upon to reveal privileged, confidential, or sensitive information. Reference (e) defines the responsibilities with regard to chaplain confidentiality.

h. Commanders shall not assign chaplains duties to act as director, solicitor, or treasurer of funds, other than administrator of a ROF; act as an investigating officer; or stand watches other than that of duty chaplain.

7. Action

a. The CNO shall exercise oversight to ensure compliance with this instruction and shall implement the policies in this instruction throughout the Navy. The CNO shall initiate action with the CCG and the administrator of the Maritime administration to implement this policy when Navy chaplains provide religious ministry to those agencies.

b. The CMC shall issue orders to implement this instruction throughout the Marine Corps.

8. Records Management Records created by this instruction, regardless of media, shall be managed in accordance with SECNAV Manual 5210.1.



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DEFINITIONS

1. Command Function. Any event that takes place under the authority or responsibility of the commander.
2. Command Religious Program (CRP). The comprehensive program of religious ministry that is planned, programmed, budgeted, and implemented to meet identified religious ministry requirements of a command.
3. Contract Religious Ministry Professional (CRMP). A civilian RMP endorsed by a specific DoD-listed RO and contracted on a non-personal services basis using competitive procedures. CRMPs provide religious ministries for members of the military, their dependents, and other authorized persons of the CRMP's RO. Commands shall assign a contracting officer's technical representative to monitor CRMP performance.
4. Divine Services. A term of art used in Section 6031 of reference (a) and Article 0817 of reference (b) to refer to public worship conducted afloat, in the field, or on military bases and installations by a military chaplain pursuant to the chaplain's official duties.
 - a. Under reference (a), commanders "shall cause divine services to be performed," and a chaplain may conduct divine services "according to the manner and forms" of his or her RO.
 - b. Divine services are command functions which take place according to the manner and forms of ROs.
 - c. Attendance at divine services shall be voluntary, with the exception of personnel present in an official support capacity.
5. Ecclesiastical Endorsing Agent. An individual authorized by an RO to provide or withdraw ecclesiastical endorsements on its behalf. Each RO is limited to a single ecclesiastical endorsing agent. Policy regarding endorsing agent visits to commands is provided in reference (d).
6. Professional Naval Chaplaincy (PNC). The field of endeavor in which Navy chaplains deliver to the Sea Services and authorized recipients religious ministry characterized by

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cooperation, tolerance, mutual respect and respect for diversity. It is further characterized by an understanding of both the pluralistic nature of the environment and the processes and structures of the organizations and institutions served. PNC includes the full range of responsibilities inherent in positions of leadership and authority in the Navy, as well as the standards and codes of behavior established for chaplains by the DON and those found in civilian religious professional life. Implicit in PNC is the expectation that chaplains will not compromise the standards of their RO.

7. Public Worship. A term of art used in Section 6031 of reference (a) that consists of divine services and religious services.

8. Religious Accommodation. The reasonable and good faith effort to support religious requirements within the boundaries of good order and discipline.

9. Religious Elements. Includes prayers, invocations, reflections, meditations, benedictions, or other religious or faith-based features of public worship traditionally or customarily incorporated in command functions other than divine or religious services.

10. Religious Ministry. Professional duties performed by Navy chaplains and designated personnel, to include facilitating and/or providing for religious needs, caring for all, and advising the command.

11. Religious Ministry Professional (RMP). An individual endorsed by a DoD-listed RO, per reference (d), to represent the RO and to conduct its religious observances or ceremonies in the institutional settings of the Naval Services. Each RMP is a fully qualified member of the clergy for those ROs that have a tradition of professional clergy or the equivalent.

12. Religious Ministry Team (RMT). A basic RMT consists of one chaplain and one RP. Other team members could include lay leaders, CRP volunteers, contract RMPs, chaplain office federal employees, and other CRP contracted professionals.

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13. Religious Offering Fund (ROF). Monetary collections offered by religious service participants in the context of worship. The system by which such funds are managed.

14. Religious Organization (RO). Under reference (d), an entity that is organized and functions primarily to perform religious ministries to a non-military constituency and that has met the religious purposes test of Section 501 (c)(3) of Title 26, U.S. Code [2000], and holds current status as a Section 501(c)(3) Schedule "A" organization. ROs possess ecclesiastical authority to endorse and withdraw endorsement for RMPs serving under their authority.

15. Religious Program Specialists (RPs). RPs support chaplains in planning, programming, administering, and coordinating the CRP. RPs are combatants who provide force protection and physical security for chaplains in operational environments.

16. Religious Rights. Those rights articulated in the First Amendment of the U.S. Constitution and applicable court precedent, including the right to free exercise of religion and the protection from establishment of religion.

17. Religious Services. Worship events, other than divine services as defined above, conducted as part of the CRP and in the manner and forms of ROs and led by lay leaders, CRMPs, or other authorized non-uniformed personnel. Participation in religious services shall be voluntary, with the exception of personnel present in a support capacity.



DEPARTMENT OF THE NAVY
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SECNAVINST 1730.8B
N097
02 October 2008

SECNAVINST 1730.8B

From: Secretary of the Navy

Subj: ACCOMMODATION OF RELIGIOUS PRACTICES

Ref: (a) DoD Directive 1300.17, of 3 Feb 88
(b) U.S. Navy Regulations, 1990
(c) DoD 7000.14-R, Vol. 7A, of Feb 02
(d) DoD Directive 5154.24, of 3 Oct 01
(e) Title 10, United States Code

1. Purpose. To provide policy and guidance for the accommodation of religious practices within the Department of the Navy (DON) under reference (a). The DON recognizes that religion can be as integral to a person's identity as one's race or sex. The DON promotes a culture of diversity, tolerance, and excellence by making every effort to accommodate religious practices absent a compelling operational reason to the contrary. During a service member's career in the DON, he or she will be exposed to a wide variety of religious expressions from both chaplains and other service members. It is DON policy to foster mutual respect for diverse religious expressions, which includes accommodating as many of them as possible at the command level. Chaplains are the Navy's only trained professional religious accommodators. Assisted by religious program specialists, they provide for and facilitate the religious needs of authorized personnel. The Chaplain Corps' capabilities are critical to the commander's ability to successfully meet the requirement for the free exercise of religion set forth in the U.S. Constitution.

2. Cancellation. SECNAVINST 1730.8A.

3. Applicability. The policies and procedures in this instruction apply solely to the accommodation of religious practices within the DON and no other context.

4. Definitions

a. Department of the Navy. The DON, for purposes of this instruction, includes applicants for entry to, and members of, the Navy, Navy Reserve, Marine Corps, Marine Corps Reserve, as

well as midshipmen at the U.S. Naval Academy and in the Reserve Officer Training Corps, and officers and officer candidates in all officer accession programs.

b. Religious Observance. Religious observances include participating in worship services and following other doctrinal requirements on Sabbath and holy days.

c. Religious Dietary Observances. Religious dietary observances include doctrinal or traditional requirements on types of foodstuffs allowed or the means of food preparation.

d. Religious Apparel. Religious apparel is defined as articles of clothing worn as part of the doctrinal or traditional observance of the religious faith practiced by the service member. Hair and grooming practices required or observed by religious groups are not included within the meaning of religious apparel.

e. Religious Medical Practices. Religious medical practices include doctrinal or traditional objections to receiving immunizations and providing Deoxyribonucleic Acid (DNA) specimen samples.

5. Policy. DON policy is to accommodate the doctrinal or traditional observances of the religious faith practiced by individual members when these doctrines or observances will not have an adverse impact on military readiness, individual or unit readiness, unit cohesion, health, safety, discipline, or mission accomplishment.

a. Accommodation of a member's religious practices cannot be guaranteed at all times and is subject to military necessity. Determination of necessity rests entirely with the commanding officer.

b. The guidelines in this instruction shall be used in the exercise of command discretion concerning the accommodation of religious practices. Nothing in these guidelines, except as expressly provided herein, shall be interpreted to require a specific form of accommodation in individual circumstances.

c. All requests for accommodation that can be approved by the commanding officer shall be approved or denied, absent unusual circumstances, within 1 week of the date of request.

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Requests that require approval from the headquarters level shall be approved or denied within 30 days of the date of request for cases arising in the United States, and within 60 days for all other cases. Exceptions to these deadlines shall be limited to unusual circumstances.

d. Any request for accommodation that is denied is subject to appeal as follows.

(1) The requesting member shall be informed by the commanding officer of the right to appeal the decision up the chain of command.

(2) Requests denied by the commanding officer shall be appealed to the next higher level of command. Subsequent appeals shall be made at successive levels of command up to and including the Chief of Naval Operations (CNO) or Commandant of the Marine Corps (CMC) as appropriate.

(3) The next level of command will either overturn or uphold the contested decision within 30 days of the date of appeal for cases arising in the United States, and within 60 days for all other cases. Absent unusual circumstances, exceptions to these deadlines shall be limited.

(4) Denied requests regarding the wear of religious apparel shall be appealed directly to the CNO or the CMC per reference (a). The CNO and CMC will provide an information copy of the approval or denial to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)).

(5) The decision of the CNO or CMC shall not be subject to appeal.

6. Religious observances shall be accommodated, except by reason of necessity, as provided in reference (b). In scheduling, commanders should be mindful of major religious observances.

7. Dietary Observance. Commanders normally accommodate religious dietary requirements through subsistence-in-kind. Subsistence-in-kind includes serving of appropriate meals or issuing of Meals Ready to Eat, Religious (MRE-R), specifically designed to meet religious requirements. Commanders may authorize separate rations within the guidelines of reference

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(c). In acting on requests for separate rations, the religious doctrines and traditions of the member's religious faith should be considered on the same basis as other personal reasons for separate rations. To the extent that health, safety, or readiness in the unit is not compromised, commanding officers may authorize individuals to provide their own supplemental food rations at sea or in the field environment to accommodate their religious dietary observances.

8. Immunizations. Immunization requirements may be waived when requested by the member based on religious objection.

a. The religious objection of the service member must be balanced against the medical risk to the member and the military unit, and military requirements such as alert status, deployment potential, and availability of the member for reassignment to units requiring full medical readiness. To provide for consistent application of these guidelines, immunization waivers will be decided by the Surgeon General of the Navy (CNO (N093)) or headquarters level designee. Individual requests shall be submitted to Chief, Bureau of Medicine and Surgery (MEDCOM-24), via the commanding officer and Deputy Chief of Naval Operations , Manpower, Training and Education (CNO (N1)) or CMC Deputy Chief of Staff for Manpower and Reserve Affairs (DCS (M&RA)), as appropriate.

b. Commanding officers may subsequently revoke waivers for service members at imminent risk of disease due to exposure or to conform to international health regulations incident to foreign travel or unit deployment. The guidance in paragraph 11e on irresolvable differences must be considered in such circumstances.

9. Deoxyribonucleic Acid (DNA) Specimen Sampling

a. Requests for waiver of the DNA specimen sample requirement will be decided by CNO (N1) or CMC (DCS (M&RA)). Individual requests shall be submitted to CNO (N1) or CMC (DCS (M&RA)), as appropriate, via the commanding officer.

b. When determining whether to grant a request for waiver based on religious medical practices, the five factors contained in paragraph 11c as supplemented by the following shall be considered:

(1) DNA analysis fulfills the military requirement of quickly and accurately identifying the remains of service members under reference (d). DNA analysis is not conducted on the specimen unless necessary for identification of remains or for other narrowly defined purposes. The specimen sample will be destroyed at the request of the member upon completion of service.

(2) The cumulative impact of repeated accommodations of a similar nature and previous treatment of similar requests may set a precedent that could adversely impact other Department of Defense (DoD) medical policies and programs, including mandatory pre-deployment processing, medical screening activities, Human Immunodeficiency Virus testing and medical surveillance program serum collection.

10. Uniforms

a. When approved by competent military authority, religious apparel not visible or otherwise apparent may be worn with the uniform, provided it does not interfere with the performance of the member's military duties or interfere with the proper wearing of any authorized article of the uniform.

b. When approved by competent military authority, visible items of religious apparel will be authorized for wear with the uniform, except when the item is not neat and conservative, its wearing will interfere with the performance of the member's military duties, or is specifically prohibited in subparagraphs 10d and 10e. In the context of the wearing of a military uniform, "neat and conservative" items of religious apparel are those that:

(1) Are discreet, tidy, and not dissonant or showy in style, size, design, brightness or color.

(2) Do not replace or interfere with the proper wearing of any authorized article of the uniform.

(3) Are not temporarily or permanently affixed or appended to any article of the uniform.

(4) Do not obscure the identity of the wearer or interfere with communication.

c. The standards in subparagraph 10b, and the prohibitions in subparagraphs 10d and 10e, are intended to serve as a basis for determining a service member's authorization to wear religious apparel with the uniform. Unless prohibited by subparagraph 10d or 10e, religious apparel shall be authorized.

d. Whether an item of religious apparel interferes with the performance of the service member's military duties depends on the characteristics of the item, the circumstances of its intended wear, and the particular nature of the member's duties. Factors in determining if an item of religious apparel interferes with the military duties include, but are not limited to, whether the item may:

(1) Impair the safe and effective operation of weapons, military equipment, or machinery.

(2) Pose a health or safety hazard to the wearer or others.

(3) Interfere with the wearing or proper functioning of special or protective clothing or equipment (e.g., helmets, flak jackets, flight suits, camouflage uniforms, gas masks, wet suits, and crash and rescue equipment).

(4) Otherwise impair the accomplishment of the military mission.

e. Visible items of religious apparel shall not be worn while wearing historical or ceremonial uniforms; participating in review formations, parades, honor or color guards and similar ceremonial details or functions.

f. Jewelry bearing religious inscriptions or otherwise indicating affiliation or belief may be worn subject to the same uniform regulations prescribed for jewelry that is not of a religious nature.

g. Chaplains may wear any religious apparel required by their religious organizations with the uniform while conducting public worship services and during the performance of rites and rituals distinct to their faith groups.

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h. Service members may wear any required religious apparel distinct to their faith group with the uniform while in attendance at public worship services.

i. Subject to the guidelines in subparagraph 4d, and the limitations in subparagraphs 10b, 10d, and 10e, commanding officers shall approve individual requests for wearing visible religious apparel with the uniform in circumstances other than attendance at public worship services. Visible items of religious apparel may not be worn with the uniform until approved.

j. A member whose request to wear a visible item of religious apparel has been approved by their commanding officer must again request approval when reporting to a new command or when a new commanding officer reports.

11. Responsibilities

a. Members seeking religious accommodation must submit their request in writing through their chain of command to their commanding officer, commander, or as otherwise specified in this instruction.

b. Commanders will respond to requests for accommodation in a just and timely manner, supporting religious freedom and respect for religious diversity within the Sea Services.

c. Commanders and commanding officers shall approve requests for religious accommodation within the guidelines of this instruction. To promote standard procedures for the accommodation of religious practices, commanding officers shall consider the following factors:

(1) The importance of military requirements, including individual readiness, unit readiness, unit cohesion, health, safety, morale, discipline, and mission accomplishment.

(2) The religious importance of the accommodation to the requester.

(3) The cumulative impact of repeated accommodations of a similar nature.

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(4) Alternative means available to meet the requested accommodation.

(5) Previous treatment of the same or similar requests, including treatment of similar requests made for other than religious reasons.

d. When requests are precluded by military necessity, commanders should seek reasonable alternatives.

e. When requests for accommodation are not in the best interests of the unit but continued tension between the unit's requirements and the individual's religious beliefs is apparent, administrative action is authorized, including but not limited to: reassignment, reclassification, or separation consistent with Secretary of the Navy (SECNAV) and Service regulations.

f. Commanding officers shall report each decision to approve or deny a request for religious accommodation up the chain of command to CNO (N1) or CMC (DSC (M&RA)) as appropriate.

g. Nothing in this instruction precludes action under the Uniform Code of Military Justice in appropriate circumstances.

h. The Chief of Chaplains will annually report to the SECNAV, the CNO and the CMC on religious demographics and religious diversity in the DON.

i. The Chief of Chaplains will provide procedures for commanders to record and report their decisions regarding requests for accommodation.

12. Information and Education

a. The CNO and CMC shall provide DON policy on accommodation of individual religious practices and military requirements in paragraphs 5 and 5a of this instruction to applicants for commissioning, enlistment and reenlistment, and shall require the member's signature acknowledging the DON policy.

b. The CNO and CMC shall incorporate relevant materials on religious traditions, practices, policies, this instruction, and reference (e), in curriculum for command, judge advocate, chaplain and similar courses of instruction and orientation.

13. Action

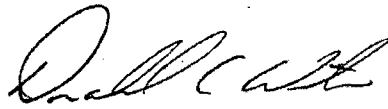
a. ASN (M&RA) is responsible for overall policy control and program execution.

b. The CNO and CMC shall implement the policies and procedures in this instruction.

c. The CNO and CMC shall review Service regulations governing uniforms, food service, separate rations, immunizations, and DNA sampling and revise them as necessary in order to conform to this instruction within 90 days from the date of this instruction and provide copies of each such regulation revision to ASN (M&RA).

d. CNO (N1) and CMC (DCS (M&RA)) shall collect, maintain and make available to the Chief of Navy Chaplains (CNO (N097)) the data concerning religious diversity, religious demographics and statistics related to the approval and denial of requests for religious accommodation.

14. Records Management. Records created by this instruction, regardless of media and format, shall be managed in accordance with SECNAV Manual 5210.1.



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SECNAVINST 1730.9
ASN(M&RA) N097
07 February 2008

SECNAV INSTRUCTION 1730.9

From: Secretary of the Navy

Subj: CONFIDENTIAL COMMUNICATIONS TO CHAPLAINS

Ref: (a) Manual for Courts-Martial, United States 2005

1. Purpose. This instruction provides policy on confidential communications to Navy chaplains. The unconstrained ability to discuss personal matters in complete privacy encourages full and complete disclosure by personnel and family members seeking chaplain assistance. Such disclosure establishes a sacred trust, facilitates increased morale and mission readiness, and benefits both the individual and the institution. The Department of the Navy (DON) benefits from having personnel and family members who trust chaplains. The institution profits from the pastoral care given to its people. Pastoral care can only be done properly under the protection of confidential communications.

2. Applicability and Scope. This instruction applies throughout the DON, including the Coast Guard when operating as a service in the Navy under 14 USC § 3.

3. Definitions

a. Confidential Communication

(1) Confidential communication includes acts of religion, matters of conscience, and any other information conveyed to a Navy chaplain in the chaplain's role as a spiritual advisor that is not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the purpose of the communication or to those reasonably necessary for the transmission of the communication. Consistent with reference (a), information conveyed to a Religious Program Specialist (RP) or a Marine Assistant for further communication to a chaplain is also considered confidential.

(2) The confidential relationship extends beyond the end of the counseling relationship and beyond the death of the person making the disclosure.

(3) Confidential communication can be conveyed through oral or written means, including, but not limited to, letters and electronic media.

(4) All Navy chaplains have the professional obligation to keep private all confidential communication disclosed to them.

(5) Confidential communications can be made only to chaplains (either directly or through an RP or Marine Assistant). Communication with lay leaders, directors of religious education, and other support personnel is not confidential and are not included in this policy. Religious Program Specialists (RP) may become aware of confidential communications in the course of their support duties. In that event, RPs are obligated to keep that information confidential and immediately refer the matter to the chaplain. Similarly, lay leaders, directors of religious education, and other support personnel who inadvertently become aware of confidential communications must keep such matters confidential, and immediately refer the matter to a chaplain.

b. Privileged communications. Privileged communications, a subset of confidential communications, is a legal term of art. The scope of the clergy-penitent privilege is defined in reference (a).

4. Policy

a. The term "confidential communications" includes the legal recognition of the clergy-penitent privilege, all communications between Navy chaplains and those who confide in them as an act of religion, a matter of conscience, or in their role as spiritual advisors. Commanders and chaplains are required to honor the confidential relationship between service personnel and chaplains. This protection extends to all authorized personnel and this obligation extends to all Navy chaplains.

b. The unique role of Navy chaplains includes a sacred trust of maintaining absolute confidentiality. Therefore, chaplains are bound by this inviolable trust. Neither the

holding of additional professional credentials, nor requirements imposed by state law, relieve the chaplain of this responsibility. Any person authorized to use chaplain services is covered by this policy.

c. In all relationships, including counseling and advising, chaplains will inform all parties, including counselees and commanders, of the ramifications of this policy on confidentiality and privileged communication. Counselees have the right to make decisions pertaining to disclosure free from coercion. If a chaplain recommends a referral to another agency, the chaplain will inform the counselee that he or she may not have the same degree of confidentiality as with the chaplain.

d. Consultation. Consultation with another chaplain when the counselee or the content of his or her communication is identified is permissible only with the consent of the counselee.

e. Multiple counselees. When multiple counselees (e.g., marriage and family counseling situations) are parties to the same counseling session, chaplains will preserve confidentiality unless all parties consent to disclosure.

f. Conscientious objection. Conscientious objection assessment interviews directed by the Commanding Officer are administrative functions, not counseling relationships. Therefore, they are not confidential communications and the interviewee shall be so informed. A chaplain who has a prior existing counseling relationship with a service member requesting designation as a conscientious objector shall not ordinarily be appointed to evaluate that service member.

g. Supervisory role. Chaplains may have responsibilities that involve administrative and disciplinary action with those whom they supervise. To safeguard confidential and privileged communication, chaplains in supervisory roles are to avoid entering into such communications with personnel they supervise. At the onset of the supervisory relationship, supervisors will inform those they supervise of these limitations on pastoral relationships. Personnel under the supervision of a chaplain

are encouraged to make their confidential communication to a chaplain outside their chain of command.

h. Counseling records. Records or notes compiled by a chaplain in his/her counseling duties are "work product" and considered confidential. As such, chaplains must safeguard any such records, in whatever medium or format, containing confidential communication. When no longer needed, these work products will be destroyed. When current or former counselees are referenced in consultation, supervision, or education, their identities must be thoroughly protected.

i. Subpoena of records. If a subpoena or other demand for documents or media containing confidential communication is received, the chaplain or a representative will immediately contact, at a minimum, the servicing legal office, the chain of command, and the Office of the Chief of Chaplains of the Navy/Director of Religious Ministries (CNO (N097)).

5. Responsibilities

a. The Chief of Naval Operations and the Commandant of the Marine Corps shall implement the policies in this instruction.

b. The Chief of Chaplains of the Navy/Director of Religious Ministries shall ensure that training on the policies in this instruction occurs at entry level and periodically thereafter. Such training will enable chaplains to:

(1) Regularly brief commands on the ramifications of this policy.

(2) Train personnel under their supervision (such as volunteers, contractors, etc.), including those not bound by this policy.

(3) Ensure Privacy Act systems of records notice NM01730-1, Navy Chaplain Privileged Counseling Files, is reviewed/updated annually to reflect current business practices for chaplains maintaining confidential records.

c. Commanders are required to honor and support the confidential relationship between service personnel and Navy chaplains. Commanders shall:

(1) Not penalize a chaplain for acting within the parameters of this policy.

07 February 2008

(2) Upon the death of a chaplain, appoint only a Navy chaplain to review the decedent's files and destroy any confidential communications.

6. Action. Actions inconsistent with this policy may result in administrative and/or disciplinary action. Consequences may include, but are not limited to, loss of chaplain credentials, and/or action under applicable provisions of the Uniform Code of Military Justice or the Military Personnel Manual.

Anita K. Blair
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)
Acting

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DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON DC 20350-1000

SECNAVINST 1730.10
N097
23 January 2009

SECNAV INSTRUCTION 1730.10

From: Secretary of the Navy

Subj: CHAPLAIN ADVISEMENT AND LIAISON

Ref: (a) Title 14, United States Code
(b) The Merchant Marine Act of 1936
(c) SECNAVINST 1730.7D
(d) DoD Directive 1304.19 of June 11, 2004
(e) SECNAVINST 3006.2
(f) SECNAVINST 5720.44B
(g) OPNAVINST 1730.1D
(h) Convention (I) For the Amelioration of the Condition of The Wounded And Sick in Armed Forces in The Field of August 1949
(i) DoD Directive 2311.01E of May 9, 2006
(j) U.S. Navy Regulations, 1990
(k) SECNAVINST 1730.9
(l) DoD Instruction 1000.1 of January 30, 1974

1. Purpose. The Chaplain Corps' four core capabilities are to facilitate the religious requirements of authorized personnel, to provide faith-specific ministries, to care for all, and to advise commands. This instruction provides policy on the role of chaplains as advisors to commands and their derivative tasks as command liaisons.

2. Applicability and Scope. This instruction applies throughout the Department of the Navy, including the Coast Guard when operating as a service in the Navy under reference (a) and to chaplains serving with the Merchant Marine pursuant to reference (b).

3. Policy

a. Advisement and Liaison. Consistent with reference (c), the chaplain advises the command in three distinct ways. The chaplain strengthens the chain of command and assists in the development of leadership by providing advice to leaders at all levels (essential advice). The chaplain serves as the principal advisor to the commander for all matters regarding the Command

Religious Program (CRP) (executive advice). The chaplain serves as an advisor to the commander regarding the impact of religious and humanitarian matters on military operations (external advice). The nature of each type of advice drives concomitant liaison work.

b. Essential Advice. As qualified religious ministry professionals, chaplains render advice throughout the chain of command. Chaplains provide commanders a unique perspective on moral and ethical decision-making. They advise on issues of right and wrong. They foster a climate of fairness, trust and accountability. When requested, they provide faith-based counseling, mentoring and spiritual direction based on theologically derived truths. They also deliver relational counseling which is based on the trust gained through a shared experience of military service and characterized by confidentiality and mutual respect. This relational counseling is designed to develop and strengthen core values and personal responsibility in people whether or not they profess a particular faith perspective.

c. Essential Liaison. In their capacity as advisors to authorized personnel, chaplains work in concert with peers and fellow professionals, including, among others, medical personnel, attorneys, social workers, and mental health professionals. This work often requires chaplains to represent the interests of one party to another, as in the case of making or receiving referrals or when advocating for the needs of authorized personnel. In this role, chaplains can be viewed as both arbiters and advocates.

d. Executive Advice. Chaplains advise commanders on all issues regarding the impact of religion on military operations when the impact is upon the command itself. Chaplains are the primary advisors to commanders regarding the organization and execution of the CRP and the delivery of the Chaplain Corps' four core capabilities within their commands. In this capacity, chaplains provide advice and assistance to commanders in the discharge of their responsibility to provide for the free exercise of religion per reference (d). Chaplains advise commanders on matters of morale, morals, spiritual well-being and ethics within the command. Chaplains further advise on the operation and administration of chapels, ministries, programs, and units dedicated to religious ministry. Chaplains also advise commanders on the religious aspects of humanitarian

assistance support missions as governed by reference (e) and community relations projects as governed by reference (f).

e. Executive Liaison. An effective CRP requires collaboration and interaction on the part of chaplains. Chaplains interact with local leaders in order to advise commanders regarding the use of contract religious ministry professionals, resources available to the command from without and local civic or humanitarian needs which members of the command may be authorized to meet. It is sometimes necessary for chaplains to interact with key leaders outside the command when it is the intention of the commander to engage in humanitarian assistance support missions or community relations projects.

f. External Advice. Per reference (g), all tasks falling within the confines of external advice must be undertaken subject to the approval of the commander and in accordance with all applicable instructions. The chaplain is a valuable advisor on the religious and humanitarian aspects of command operations and, in coordination with other specialists, may speak to the religious and humanitarian status of the command's Area of Responsibility (AOR). The scope, content, and delivery of this advice is shaped, in part, by the assignment, grade, experience, and expertise of the chaplain. Consistent with the previous categories of advice and liaison and with the principles of reference (h), the chaplains' activities in this category are always to be directed toward the amelioration of suffering and the direct pursuit of humanitarian goals. Under circumstances in which the Laws of Armed Conflict apply and when the subject of advisement has a religious or humanitarian impact on the command's military mission relative to the indigenous population or adversary, the scope and provision of a chaplain's advisement shall be governed as follows.

(1) Per reference (i), all members of the Department of Defense are required to "comply with the law of war during all armed conflicts, however such conflicts are characterized, and in all other military operations." Per article 1063 of reference (j), chaplains shall be permitted to perform only duties that will not jeopardize the non-combatant status ascribed to them by reference (h). Therefore, advice and liaison activities during conflicts or operations are strictly limited to those approved by the commander and authorized by reference (h).

(2) In accordance with reference (g), the chaplain may advise the commander on the religious considerations in building and maintaining coalitions, the religious considerations of humanitarian assistance support, and the benevolent expression of religion within the AOR.

(3) The chaplain may not advise the commander on the identification of targets, the use of religion as a weapon by the command or the use of religion for psychological operations or military intelligence. Chaplains may not advise or participate in target approval of any kind.

(4) Chaplains, and religious program specialists or chaplain's assistants when accompanying a chaplain, are prohibited from contributing information about the adversary to their respective command's combat decision making process. This does not preclude chaplains from warning anyone in their proximity of immediate danger.

g. External Liaison. Under circumstances in which the Laws of Armed Conflict apply, chaplains may serve as command liaisons with key local leaders as follows.

(1) When assigned to a combat area during a period of armed conflict, chaplains shall be permitted to perform only such duties as are related to religious service and the administration of religious units or establishments, consistent with article 1063 of reference (j), and specifically to protect their non-combatant status.

(2) When authorized and directed by the commander, chaplains may serve as a point of contact and liaison for local civilian and military leaders, institutions, and organizations only to the extent that those contacts relate to the religious or humanitarian purposes approved by the commander.

(3) Under circumstances in which the Laws of Armed Conflict apply, chaplains may convey information related to their religious and humanitarian purpose to or from key leaders subject to the express approval and limitations of the commander. The exchange of such information must be pursuant to the religious/humanitarian mission of the chaplaincy giving specific consideration to preserving the chaplain's non-combatant status.

h. Restrictions. The chaplains' unique value as a command liaison is protected as follows:

(1) Commanders will safeguard the chaplain's ability to offer confidential communication to those with whom the chaplain is engaged in accordance with reference (k).

(2) Commanders will not employ the chaplain in such a way as to serve or even give the appearance that the chaplain is being employed as an intelligence operative.

(3) Commanders will not compel a chaplain to act in a way that is inconsistent with the tenets of the chaplain's faith as substantiated by the chaplain's ecclesiastical endorsing agent.

(4) In the interest of protecting the chaplains' non-combatant status, commanders will not compel or otherwise require chaplains to remove, replace, or conceal either their staff corps insignia or their Geneva Conventions insignia in accordance with reference (l).

(5) Per reference (h), the chaplain must abstain from all hostile acts and any act, either direct or indirect, that would be harmful to the adversary.

4. Responsibilities

a. The Chief of Naval Operations (CNO) shall exercise oversight to ensure compliance with this instruction and shall implement the policies in this instruction throughout the Navy. The CNO shall initiate action with the Commandant of the Coast Guard and the Administrator of the Maritime Administration to implement this policy when Navy chaplains provide religious ministry to those agencies.


b. The Commandant of the Marine Corps shall issue orders to implement this instruction throughout the Marine Corps.

c. Commanders shall identify and validate their requirements for chaplain advisement and liaison at the tactical, operational and strategic levels. Commanders shall not assign duties to chaplains inconsistent with their roles as

set forth above, nor will they assign chaplains duties that might compromise the chaplains' noncombatant status.

d. The Chief of Navy Chaplains shall coordinate the training and certification of chaplains for advisement and liaison.

5. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed in accordance with Secretary of the Navy Manual 5210.1.



Donald C. Winter

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Department of Defense

DIRECTIVE

NUMBER 1304.19

June 11, 2004

Certified Current as of April 23, 2007

USD(P&R)

SUBJECT: Appointment of Chaplains for the Military Departments

- References: (a) DoD Directive 1304.19, "Appointment of Chaplains for the Military Services," September 18, 1993 (hereby canceled)
- (b) DoD Directive 1332.31, "Administrative Separation of Chaplains Upon Loss of Professional Qualifications," October 16, 1981 (hereby canceled)
 - (c) DoD Instruction 1330.7, "Visits of Civilian Religious Leaders to Military Installations in Overseas Areas," April 26, 1974 (hereby canceled)
 - (d) DoD Instruction 1304.28, "Guidance for the Appointment of Chaplains for the Military Departments," June 11, 2004
 - (e) DoD Directive 5100.73, "Support of Headquarters of Combatant and Subordinate Joint Commands," November 15, 1999

1. REISSUANCE AND PURPOSE

This Directive:

- 1.1. Reissues reference (a) to update policy and responsibilities.
- 1.2. Cancels references (b) and (c).
- 1.3. Continues the educational and ecclesiastical requirements for appointing military chaplains.

2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, (including the Coast Guard when it is operating as a Military Service in the Navy), the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Defense Agencies, the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "Military Departments," as used herein, refers to the Department of the Army, the Department of the Navy,

and the Department of the Air Force. The term "Military Services" as used herein refers to the Army, the Navy, the Air Force, and the Marine Corps.

3. DEFINITIONS

Terms used in this Directive are defined in DoD Instruction 1304.28 (reference (d)).

4. POLICY

It is DoD policy that the Chaplaincies of the Military Departments:

4.1. Are established to advise and assist commanders in the discharge of their responsibilities to provide for the free exercise of religion in the context of military service as guaranteed by the Constitution, to assist commanders in managing Religious Affairs (DoD Directive 5100.73 (reference (e))), and to serve as the principal advisors to commanders for all issues regarding the impact of religion on military operations.

4.2. Shall serve a religiously diverse population. Within the military, commanders are required to provide comprehensive religious support to all authorized individuals within their areas of responsibility. Religious Organizations that choose to participate in the Chaplaincies recognize this command imperative and express willingness for their Religious Ministry Professionals (RMPs) to perform their professional duties as chaplains in cooperation with RMPs from other religious traditions.

4.3. Requirements and details addressing the Chaplaincies of the Military Departments are found in reference (d).

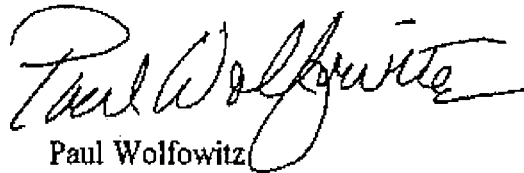
5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Personnel and Readiness shall issue additional implementing guidance, as appropriate.

5.2. The Secretaries of the Military Departments shall adhere to this Directive, reference (d), and other pertinent guidance to ensure that persons appointed as chaplains meet the minimum professional and educational qualifications prescribed in reference (d) and other pertinent guidance. The Secretaries of the Military Departments may impose additional professional requirements.

6. EFFECTIVE DATE

This Directive is effective immediately.

A handwritten signature in black ink, reading "Paul Wolfowitz". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul Wolfowitz
Deputy Secretary of Defense

DODI 1300.17p Accommodation of Religious Practices
Department of Defense

INSTRUCTION

NUMBER 1300.17

February 10, 2009

USD(P&R)

SUBJECT: Accommodation of Religious Practices Within the Military Services

References: (a) DoD Directive 1300.17, "Accommodation of Religious Practices Within the Military Services," February 3, 1988 (hereby canceled)
(b) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
(c) Section 774 and chapter 47 of title 10, United States Code

1. PURPOSE. This Instruction:

- a. Reissues Reference (a) as a DoD Instruction in accordance with the authority in Reference (b).
- b. Prescribes policy, procedures, and responsibilities for the accommodation of religious practices in the Military Services.

2. APPLICABILITY AND SCOPE

- a. This Instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the "DoD Components").
- b. The policies and procedures prescribed herein apply solely to the accommodation of religious practices in the Military Services and in no other context.

3. DEFINITIONS

- a. Neat and Conservative. In the context of wearing a military uniform, "neat and conservative" items of religious apparel are those that:

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DoDI 1300.17, February 10, 2009

- (1) Are discreet, tidy, and not dissonant or showy in style, size, design, brightness, or color.
- (2) Do not replace or interfere with the proper wear of any authorized article of the uniform.
- (3) Are not temporarily or permanently affixed or appended to any authorized article of the uniform.
- b. Religious Apparel. Articles of clothing worn as part of the doctrinal or traditional observance of the religious faith practiced by the member. Hair and grooming practices required or observed by religious groups are not included within the meaning of religious apparel. Jewelry bearing religious inscriptions or otherwise indicating affiliation or belief is subject to existing Service uniform regulations under the same standard that applies to jewelry

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that is not of
a religious nature.

4. POLICY. The U.S. Constitution proscribes Congress from enacting any law prohibiting the free exercise of religion. The Department of Defense places a high value on the rights of members of the Military Services to observe the tenets of their respective religions. It is DoD policy that requests for accommodation of religious practices should be approved by commanders when accommodation will not have an adverse impact on mission accomplishment, military readiness, unit cohesion, standards, or discipline.

5. RESPONSIBILITIES

a. Principal Deputy Under Secretary of Defense for Personnel and Readiness. The Principal Deputy Under Secretary of Defense for Personnel and Readiness, under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, shall be responsible for the administration of this Instruction and may issue guidance implementing this Instruction, as appropriate.

b. Secretaries of the Military Departments. The Secretaries of the Military Departments shall issue appropriate implementing documents and administer the rules thereunder within their respective Departments consistently with this Instruction.

6. PROCEDURES. The enclosure contains procedures for accommodating religious practices in the Military Services.

7. RELEASABILITY. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Web Site at <http://www.dtic.mil/whs/directives>.

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DoDI 1300.17, February 10, 2009

8. EFFECTIVE DATE. This Instruction is effective immediately.

Enclosure
Procedures

3

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DoDI 1300.17, February 10, 2009

ENCLOSURE

PROCEDURES

1. In accordance with rules prescribed by the Secretary of the Military Department of the individual making the request for accommodation, military commanders should consider the following factors, in addition to any other factors deemed appropriate, when determining whether to grant a request for the accommodation of religious practices, as addressed in section 4 of the front matter of this Instruction:

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- a. The importance of military requirements in terms of mission accomplishment, military readiness, unit cohesion, standards, and discipline.
 - b. The religious importance of the accommodation to the requester.
 - c. The cumulative impact of repeated accommodations of a similar nature.
 - d. Alternative means available to meet the requested accommodation.
 - e. Previous treatment of the same or similar requests, including treatment of similar requests made for other than religious reasons.
2. The factors described in this enclosure are intended to promote standard procedures for resolving difficult questions involving the accommodation of religious practices. In view of the different mission requirements of each command, individual consideration of specific requests for accommodation is necessary.
3. When requests for accommodation are not in the best interest of the unit, and continued tension between the unit's requirements and the individual's religious beliefs is apparent, administrative actions should be considered. Those actions may include, but are not limited to, assignment, reassignment, reclassification, or separation. Nothing in this Instruction precludes action under chapter 47 of title 10, United States Code (Reference (c)), in the appropriate circumstances.
4. The guidance in this Instruction shall be used by the Military Departments in the development of implementing documents on the exercise of command discretion concerning the accommodation of religious practices.
- a. worship practices, holy days, and Sabbath or similar religious observance requests shall be accommodated, except when precluded by military necessity.
- 4 ENCLOSURE

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DoDI 1300.17, February 10, 2009

- b. Religious beliefs shall be included as a factor for consideration when granting separate rationations.
 - c. Religious beliefs shall be considered as a factor for the waiver of required medical practices, subject to military requirements and medical risks to the unit.
 - d. Familiarization with religious accommodation policies shall be included in the training curricula for command, judge advocate, chaplain, and other appropriate career fields or assignments.
 - e. Applicants for commissioning, enlistment, and reenlistment shall be advised of their Military Department's specific religious accommodation policies.
5. In accordance with section 774 of Reference (c), members of the Military Services may wear items of religious apparel while in uniform, except where the items would interfere with the performance of military duties or the item is not neat and conservative. The Military Departments shall prescribe regulations on the wear of such items. Factors used to determine if an item of religious apparel interferes with military duties include, but are not

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limited to, whether

or not the item:

a. Impairs the safe and effective operation of weapons, military equipment, or machinery.

b. Poses a health or safety hazard to the Service member wearing the religious apparel and/or others.

c. Interferes with the wear or proper function of special or protective clothing or equipment

(e.g., helmets, flak jackets, flight suits, camouflaged uniforms, gas masks, wet suits, and crash and rescue equipment).

d. Otherwise impairs the accomplishment of the military mission.

6. Religious items or articles not visible or otherwise apparent may be worn with the uniform

provided they shall not interfere with the performance of the member's military duties, as discussed in paragraph 5 of this enclosure, or interfere with the proper wearing of any authorized article of the uniform.

7. A complete ban on wearing any visible items of religious apparel may be appropriate under

circumstances in which the Service member's duties, the military mission, or the maintenance of

discipline require absolute uniformity. For example, members may be prohibited from wearing

visible religious apparel while wearing historical or ceremonial uniforms; participating in review

formations, parades, honor or color guards, and similar ceremonial details and functions.

5 ENCLOSURE

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DODI 1300.17, February 10, 2009

8. The standards in paragraphs 5, 6, and 7 of this enclosure are intended to serve as a basis for

determining a member's entitlement to wear religious apparel with the uniform. For example,

unless prohibited by paragraph 5 or 7 of this enclosure, a Jewish yarmulke may be worn with the

uniform whenever a military cap, hat, or other headgear is not prescribed. A yarmulke may also

be worn underneath military headgear as long as it does not interfere with the proper wearing,

functioning, or appearance of the prescribed headgear, under paragraph 6 of this enclosure.

9. Notwithstanding any other provision in this Instruction, chaplains may wear any required

religious apparel or accouterments with the uniform while conducting worship services and

during the performance of rites and rituals associated with their religious faith.

10. The authority to approve the wearing of an item of religious apparel with the uniform, under

the guidelines of this Instruction, shall be exercised at the command level specified by each

Military Department. Denials of requests to wear religious apparel shall be subject to review at

the Service Headquarters level. Final review shall occur within 30 days following the date of

initial denial for cases arising in the United States, and within 60 days for all

other cases.

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Exceptions to these deadlines shall be limited to exigent circumstances. Service members shall be obliged to comply with orders prohibiting wearing questionable items of religious apparel pending review of such orders under regulations issued by the Secretaries of the Military Departments.

11. Nothing in this guidance or in the Military Department documents authorized by section 4 of this enclosure (except when expressly provided therein) shall be interpreted as requiring a specific form of accommodation in individual circumstances.

6 ENCLOSURE

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Department of Defense

INSTRUCTION

NUMBER 1304.28

June 11, 2004

Incorporating Change 1, August 7, 2007

USD(P&R)

SUBJECT: Guidance for the Appointment of Chaplains for the Military Departments

- References:
- (a) DoD Directive 1304.19, "Appointment of Chaplains for the Military Departments," June 11, 2004
 - (b) Sections 533(a)(1), 643, 827, 3353(a)(1), 5600(a)(1) of title 10, United States Code
 - (c) Assistant Secretary of Defense (Force Management Policy) Memorandum, "Educational Requirements for Military Chaplain Applicants," April 2, 2002 (hereby canceled)
 - (d) Principal Deputy Under Secretary of Defense (Personnel and Readiness) Memorandum, "Assignment of Chaplains for Military Service," October 14, 2003 (hereby canceled)
 - (e) through (i), see Enclosure 1

1. PURPOSE

This Instruction:

- 1.1. Implements Reference (a) and section 643 of Reference (b).
- 1.2. Cancels References (c), (d), and DD Form 2741, "Department of Defense Ecclesiastical Endorsing Organization Verification/Reverification Information."
- 1.3. Assigns responsibilities appointing chaplains for the Military Departments and identifies the educational and ecclesiastical requirements for appointment of military chaplains.
- 1.4. Establishes requirements and procedures for religious organizations to endorse religious ministry professionals for the chaplaincy.

1.5. Implements and establishes the criteria and procedures for the administrative separation and loss of professional qualifications of chaplains of the Military Departments.

2. APPLICABILITY AND SCOPE

This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components"). The term "Military Departments," as used herein, refers to the Department of the Army, the Department of the Navy, and the Department of the Air Force. The term "Military Services" as used herein refers to the Army, the Navy, the Air Force, and the Marine Corps.

3. DEFINITIONS

Terms used in this Instruction are defined in Enclosure 2.

4. POLICY

This Instruction implements policy established in Reference (a).

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Personnel and Readiness shall develop overall policy for the appointment of chaplains to the Military Departments, establish professional qualification requirements for chaplains, and ensure religious organizations endorsing religious ministry professionals (RMPs) to serve as military chaplains shall maintain all requirements as prescribed in Enclosure 3.

5.2. The Secretaries of the Military Departments shall adhere to DoD policy and procedures in sections 4. and 6. of this Instruction to ensure that persons appointed as chaplains meet the minimum professional and educational qualifications prescribed in this Instruction. The Secretaries of the Military Departments may impose additional professional requirements.

6. PROCEDURES

6.1. To be considered for appointment to serve as a chaplain, an RMP shall receive an endorsement from a qualified religious organization verifying:

6.1.1. The RMP is a fully qualified RMP of a religious organization that meets the administrative requirements of this Instruction.

6.1.1.1. An RMP's application shall include the endorsement of the person's ecclesiastical credentials on a DD Form 2088, "Statement of Ecclesiastical Endorsement." (See Enclosure 6.)

6.1.1.2. If a religious organization has not previously endorsed military chaplains, it shall file the administrative documents required by Enclosure 3 in conjunction with the endorsement of its first fully qualified RMP in an application for appointment as a chaplain for a Military Department.

6.1.1.3. The Armed Forces Chaplains Board (AFCB) shall accept the required documents only when the applicable Military Department has determined the RMP is fully qualified in all ways other than ecclesiastical endorsement. The AFCB shall notify the Military Departments of religious organizations that have filed the prerequisite documents and whose packets have been found administratively complete.

6.1.1.4. The Military Departments may evaluate RMPs from religious organizations that are submitting the administrative filing requirements for the first time and are pending determination of the fully qualified status of their prospective chaplain. The Military Departments shall consult with the AFCB to determine if the administrative requirements are pending acceptance in such cases.

6.1.2. The RMP is willing to function in a pluralistic environment, as defined in this Instruction, and is willing to support directly and indirectly the free exercise of religion by all members of the Military Services, their family members, and other persons authorized to be served by the military chaplaincies.

6.1.3. The RMP has 2 years of religious leadership experience for an active component appointment. Religious leadership experience shall be compatible with the duties of RMPs in their respective religious organization and relevant to the settings of military chaplaincy.

6.1.4. The RMP is educationally qualified for appointment as a chaplain. The educationally qualified applicant shall possess a baccalaureate degree with not less than 120 semester hours (180 quarter hours) from a qualifying educational institution. The educationally qualified applicant shall also possess a post-baccalaureate graduate degree in the field of theological or related studies from a qualifying educational institution. A

qualifying graduate degree program shall require no fewer than 72 semester hours (108 quarter hours) of graduate-level work. Related studies may include graduate courses in pastoral counseling, social work, religious administration, and similar disciplines when one-half of the earned graduate credits include topics in general religion, world religions, the practice of religion, theology, religious philosophy, religious ethics, and/or the foundational writings from the applicant's religious tradition.

6.2. A qualifying RMP-producing educational institution is an accredited college, university, or school of theology listed in the current edition of the American Council on Education (ACE), Accredited Institutions of Post-secondary Education and relevant ACE supplements to that publication (Reference (e)), or any unaccredited institution that meets the requirements of subparagraphs 6.2.1. through 6.2.4.

6.2.1. An unaccredited educational institution may obtain designation as a qualifying RMP-producing educational institution for a specific applicant to the chaplaincy who graduated from that educational institution by providing certification from registrars at three accredited educational institutions that maintain programs for the preparation of clergy. Each registrar shall certify that his or her educational institution would have accepted at least 90 percent of the credit hours earned and courses leading to the awarding of the post-graduate degree in theological or related studies earned by that applicant at the unaccredited educational institution, as of the year of graduation.

6.2.2. An unaccredited educational institution may be designated as a qualified RMP-producing educational institution by providing the AFCB certification from the registrars of three different accredited educational institutions that maintain programs for the preparation of RMPs. Each registrar shall certify the list of the major areas of study that that educational institution would accept at least 90 percent of the credit hours earned by a student who is awarded a post-graduate degree in theological or related studies at the unaccredited educational institution. A designation as a qualified RMP-producing educational institution may apply to any year in which the unaccredited educational institution produced graduates or the institution may request this designation for a period of up to 5 years. The unaccredited educational institution shall submit the required documentation no later than the beginning of the academic year if designation for future years is sought. Applications for renewal of this status shall be for periods not to exceed 5 years.

6.2.3. The required documentation shall be submitted to the AFCB. The AFCB shall review and approve the documentation for completeness prior to forwarding to the Office of the Deputy Under Secretary of Defense for Military Personnel Policy for inclusion on the list of qualifying educational institutions for Reserve Officers. The required documentation shall be sent to the following: Office of the Under Secretary of Defense for Personnel and Readiness, ATTN: OUSD(P&R)MPP-AFCB, 4000 Defense Pentagon (Room 2E341), Washington, DC 20301-4000.

6.2.4. Applications containing the required documentation may also be submitted at any time from unaccredited educational institutions requesting designation as a qualifying educational institution for prior school years.

6.3. A new DD Form 2088 shall be required at each change of career status, as defined by the Military Departments, to re-endorse the qualifications of the chaplain concerned.

6.4. Requirements for applicants for the chaplaincy:

6.4.1. Applicants for appointment as a chaplain shall meet physical standards in accordance with DoD Directive 6130.3 (Reference (f)) and be otherwise qualified to serve as commissioned officers in accordance with Reference (b) and DoD Directive Instruction 1310.02 (Reference (g)).

6.4.2. Applicants shall affirm that, if appointed, they shall abide by applicable laws, and all applicable regulations, directives, and instructions of the Department of Defense and of the Military Department that grades the appointment.

6.5. Administrative separation of chaplains upon loss of professional qualifications. If a chaplain loses ecclesiastical authority to function as an RMP or has ecclesiastical endorsement to serve as a chaplain withdrawn, the appropriate religious organization shall provide written notification to the Military Department concerned. Processing for separation in accordance with section 643 of Reference (b) shall be initiated immediately upon such notification. This Instruction does not preclude separation in accordance with other regulations of the Military Department concerned (i.e., when separation for reasons other than loss of ecclesiastical endorsement is appropriate).

6.5.1. When a separation action is initiated under this Instruction, the chaplain shall be notified in writing of the following:

6.5.1.1. The chaplain has a right to consult with military counsel or with civilian counsel obtained at no expense to the Government, and to submit statements in response to the notice.

6.5.1.2. The chaplain has lost ecclesiastical endorsement.

6.5.1.3. Under conditions established by the Secretary of the Military Department concerned, the chaplain may:

6.5.1.3.1. Seek another ecclesiastical endorsement within the time frame allotted by the Military Department involved.

6.5.1.3.2. Apply for non-chaplain duties with the understanding that the officer shall be discharged voluntarily as a chaplain on one day and appointed in a non-chaplain capacity on the next day.

6.5.1.3.3. Apply for voluntary retirement, if eligible for such retirement;
or

6.5.1.3.4. Tender a voluntary resignation.

6.5.2. If a request is not submitted under subparagraph 6.5.1.3., or if such a request is disapproved, the chaplain shall be separated with an appropriate discharge. Chaplains of the Army National Guard and the Air National Guard shall not be administratively separated without the consent of the Governor of the State or territory or his or her designated representative.

6.5.2.1. The chaplain shall be provided a reasonable period of time consistent with the policies of the Military Department that the chaplain serves to respond to the notice. If the chaplain states that action under subparagraph 6.5.1.3. is requested, the chaplain shall be notified in writing of the date and manner by which such request shall be submitted.

6.5.2.2. If the chaplain does not respond to the notice in a timely manner, separation processing shall be completed in accordance with subparagraph 6.5.3.

6.5.3. The Secretary of the Military Department concerned may:

6.5.3.1. Approve a request for a new ecclesiastical endorsement for a serving chaplain submitted in accordance with this Instruction; or

6.5.3.2. Approve a voluntary resignation, if tendered, and direct an appropriate discharge; or

6.5.3.3. Approve a voluntary retirement, if requested by an eligible applicant;
or

6.5.3.4. Approve a request for assignment to non-chaplain duties through voluntary resignation and appointment in accordance with regulations implementing Chapters 36 or 1205 of Reference (b); or

6.5.3.5. Direct an appropriate discharge if an action in subparagraph 6.5.1.3. is not requested and/or approved.

6.6. Visits of Endorsing Agents to military installations in overseas areas are encouraged to enhance the spiritual welfare of military personnel, particularly at seasons of special religious significance.

6.6.1. Such visits shall keep the religious organization aware of the ministry of the organization's chaplains and the spiritual and religious activities of the military community and permit Ecclesiastical Endorsing Agents to maintain their professional relationships with endorsed chaplains.

6.6.2. Such visits shall be at the discretion of the commander(s) of the installations involved.

6.6.3. The Ecclesiastical Endorsing Agents who visit installations representing their religious organizations shall do so at no expense to the Government. The Ecclesiastical Endorsing Agent shall be afforded protocol privileges appropriate to those of a civilian employee in the grade of GS-15.

6.6.4. The Military Departments may establish procedures governing the visits of Ecclesiastical Endorsing Agents to overseas installations. The AFCEB may provide administrative assistance in arranging such visits.

6.7. The chaplain candidate programs exist within the Military Departments for the purpose of familiarizing graduate students of religion with religious support activities in the military environment. Participants in this program serve as commissioned officers in the Reserve components of the Military Departments. Chaplain candidates are not authorized to serve as, or in place of, chaplains.

6.7.1. Upon successful completion of their academic and religious training, participants in the Chaplain Candidate Programs may seek appointment as chaplains.

6.7.2. Each Military Department is responsible for implementing this program in accordance with Department-specific policies and regulations.

6.7.3. At a minimum, applicants and participants in the Chaplain Candidate Program shall:

6.7.3.1. Be approved by a religious organization recognized as able to provide ecclesiastical endorsements for chaplains in accordance with the provisions of this Instruction.

6.7.3.2. Be a matriculated student in graduate-level degree-granting religious studies programs of qualifying educational institutions. Such programs and institutions shall comply with criteria in paragraph 6.2. for educational requirements for Chaplains. Subparagraph 6.2.1. does not apply for chaplain candidates.

6.7.3.3. Be able to complete educational, ecclesiastical, and professional experience requirements for appointment as chaplains prior to reaching the age limitation for such original appointments, as established by the Military Department to which the applicant is applying.

6.7.3.4. Be able to meet all other appointment eligibility criteria of the Military Department to which the applicant is applying.


6.8. *Any individual or religious organization shall be removed from or rejected for participation in the DoD Chaplain program if:*

6.8.1. *The individual is under indictment or has been convicted of a terrorism-related offense, or other offense threatening national or economic security.*

6.8.2. *The religious organization appears on the annual State Department list of Foreign Terror Organizations.*

7. EFFECTIVE DATE

This Instruction is effective immediately.



Charles S. Abell
Principal Deputy Under Secretary of Defense
for Personnel and Readiness

Enclosures - 6

- E1. References, continued
- E2. Definitions
- E3. Administrative Filing Requirements for a Religious Organization Desiring to Endorse Religious Ministry Professionals for the Military Chaplaincy
- E4. Format for Providing Required Information to Meet Administrative Requirements to Endorse Chaplains to the Military Departments
- E5. Format for Providing Required Information to Endorse RMPs as Chaplains to the Military Departments
- E6. DD Form 2088, "Statement of Ecclesiastical Endorsement," May 2006

E1. ENCLOSURE 1

REFERENCES, continued

- (e) American Council on Education, "Accredited Institutions of Post Secondary Education," current edition¹
- (f) DoD Directive 6130.3, "Physical Standards for Appointment, Enlistment, and Induction," December 15, 2000
- (g) ~~DoD Directive 1310.2, "Appointing Commissioned Officers," May 28, 1996~~
DoD Instruction 1310.02, "Appointing Commissioned Officers," May 8, 2007
- (h) DoD Directive 5120.8, "Armed Forces Chaplains Board Charter," March 20, 1995
- (i) Section 501(c)(3) of the title 26, United States Code (Internal Revenue Code)

¹ Available for purchase via the Internet at <http://www.acenet.edu/bookstore/pubInfo.cfm?pubID=385>

E2. ENCLOSURE 2

DEFINITIONS

E2.1. TERMS

Terms used in this Instruction are defined as follows:

E2.1.1. Change of Career Status. Includes, but is not limited to, initial application for the chaplaincy, change from Reserve to active status or the opposite, and extension on active duty beyond the initial obligated period of service. This term is further defined by the various Military Services. A change of career status requires endorsement or re-endorsement by the religious organization endorsing the chaplain.

E2.1.2. Chaplain. A commissioned officer of the Chaplain Corps of the Army, a commissioned officer of the Chaplain Corps of the Navy, or a commissioned officer in the Air Force designated for duty as a chaplain.

E2.1.3. Counsel. A lawyer qualified under section 827 of title 10, United States Code (Article 27(b)(1) of the Uniform Code of Military Justice) (Reference (b)) or a civilian lawyer retained at no expense to the Government.

E2.1.4. Ecclesiastical. The forms and practices related to religious organizations.

E2.1.5. Ecclesiastical Endorsement. Written documentation from a religious organization that complies with the administrative requirements of this Instruction that an applicant for the military chaplaincy is fully and professionally qualified and endorsed to perform all offices, functions, sacraments, ordinances, and ceremonies required of an RMP for that religious organization, and is capable and authorized to minister as required within a pluralistic environment.

E2.1.6. Ecclesiastical Endorsing Agent. An individual authorized to provide or withdraw Ecclesiastical Endorsements on behalf of a religious organization.

E2.1.7. Endorsement. The internal process that religious organizations use when designating RMPs to represent their religious organizations to the Military Departments and confirm the ability of their RMPs to conduct religious observances or ceremonies in a military context.

E2.1.8. Pluralistic Environment. A descriptor of the military context of ministry. A plurality of religious traditions exist side-by-side in the military.

E2.1.9. Religious Ministry Professional (RMP). An individual endorsed to represent a religious organization and to conduct its religious observances or ceremonies. An RMP

is a fully qualified member of the clergy for those religious organizations that have a tradition of professional clergy or their equivalents. The religious organization's endorsement verifies that an RMP is professionally qualified to serve as a chaplain in the military and meets the graduate education and religious leadership requirements of this Instruction.

E2.1.10. Religious Organization. An entity that is organized and functions primarily to perform religious ministries to a non-military lay constituency and that has met the religious purposes test of section 501(c)(3) of title 26, United States Code (Reference (i)), and holds current status as a section 501(c)(3) Schedule "A" organization. Religious organizations possess ecclesiastical authority to endorse and withdraw endorsement for RMPs serving under their authority.

E2.1.11. Separation. Discharge or retirement from military service.

E3. ENCLOSURE 3

**ADMINISTRATIVE FILING REQUIREMENTS FOR A RELIGIOUS
ORGANIZATION DESIRING TO ENDORSE RELIGIOUS MINISTRY
PROFESSIONALS FOR THE MILITARY CHAPLAINCY**

E3.1.1. Religious organizations that choose to participate in the Military Chaplaincies recognize the chaplaincies of the Military Departments serve a religiously diverse population and that military commanders are required to provide comprehensive religious support to all authorized individuals within their areas of responsibility. Religious organizations participating in the military chaplaincies therefore express willingness for their RMPs to perform their professional duties as Chaplains in cooperation with Chaplains from other religious traditions and that:

E3.1.1.1. Chaplains shall wear the appropriate insignia in accordance with uniform regulations of their respective Military Services.

E3.1.1.2. The religious organization shall complete and maintain all administrative requirements of this Instruction (Enclosure 3) as a prerequisite to being able to endorse applicants for the chaplaincies.

E3.1.1.3. Endorsement by a religious organization meeting the administrative qualifications of this Instruction (Enclosure 3) is an essential element of a chaplain's professional qualifications. A chaplain whose endorsement is withdrawn shall be processed for separation in accordance with paragraph 6.5.

E3.1.2. A religious organization desiring to provide an RMP to serve as a chaplain in the Military Departments shall meet the administrative filing requirements of this Instruction and maintain the required information for that purpose on file with the Department of Defense. The religious organization shall submit the required documentation to the AFCB in the format specified in Enclosure 4. Submission of the required documents may be made through secure and verified electronic media. The religious organization shall be able to submit documents to permit endorsement of chaplains for the first time only when they are endorsing a fully and professionally qualified candidate, without requirement for waivers of the standards specified by the applicable Military Department. (See paragraph 6.1.)

E3.1.3. The religious organization shall submit documents verifying the following information with regard to such organization:

E3.1.3.1. That the religious organization is organized as an entity functioning primarily to perform religious ministries to a non-military lay constituency and currently holds a section 501(c)(3) exempt status (Reference (i)) as a church for Federal tax purposes from the Internal Revenue Service (IRS) (note "church" is used by the IRS not

to denote a belief system, but to distinguish “churches” from other types of religious organizations; see IRS Instructions for Form 1023 Schedule A). Such rules stipulate that the particular religious beliefs of the organization are truly and sincerely held and that the practices and rituals associated with the organization’s religious belief or creed are not illegal or contrary to clearly defined public policy. In order to determine whether a particular religious organization has properly acquired, and currently maintains, an IRS tax exempt status and does not engage in practices that are illegal or contrary to defined public policy, the USD(PR) shall take appropriate steps to verify with the DoD Components and other Federal Agencies compliance with these requirements.

E3.1.3.2. That it possesses ecclesiastical authority to grant and withdraw initial and subsequent ecclesiastical endorsement for ministry in the Armed Forces.

E3.1.3.3. That it verifies the religious organization shall provide chaplains who shall function in a pluralistic environment, as defined in this Instruction, and who shall support directly and indirectly the free exercise of religion by all members of the Military Services, their family members, and other persons authorized to be served by the military chaplaincies.

E3.1.3.4. That it agrees to abide by all DoD Directives, Instructions, and other guidance and with Military Department regulations and policies on the qualification and endorsement of RMPs for service as military chaplains.

E3.1.4. The religious organization shall supply the name, title, mailing address, electronic contact, the Employer Identification Number assigned to the organization by the IRS, and telephone number of the agent authorized to represent the religious organization to the Military Departments to include authority to grant and withdraw ecclesiastical endorsements. This agent may not be a currently serving military Chaplain (active duty, National Guard, or Reserve).

E3.1.5. A religious organization shall immediately notify the AFCB when changes occur in the status of the organization, designated endorsing agent, or the contact addresses and telephone numbers of either.

E3.1.6. A religious organization shall re-verify that it meets the requirements in paragraph E3.1.2. if chaplains endorsed by it are unable to gain re-endorsement at times of change of career status.

E3.1.7. Religious organizations that are currently able to endorse RMPs for Military Service as chaplains under earlier versions of this Instruction may continue to endorse RMPs as long as they continue to meet the requirements in effect when they originally began to endorse RMPs for the military chaplaincies. Such organizations shall affirm in writing to the AFCB by January 31st of each year that they continue to meet such requirements. This provision applies equally to religious organizations that endorse chaplains directly to the Department of Defense through an embedded endorsing

organization; religious organizations that, under previous versions of this Instruction, were extended the privileges of endorsing chaplains through representation by external endorsing organizations; and larger organizations that have acted on behalf of member religious organizations.

E3.1.8. By January 31st of each year, each religious organization shall provide to the AFCB a complete list of Chaplains endorsed for military chaplaincy. Chaplains shall be listed alphabetically by name and Military Department.

E3.1.9. In accordance with DoD Directive 5120.8 (Reference (h)), the AFCB shall inform religious organizations that endorse Chaplains that they no longer meet the administrative requirements of paragraphs E3.1.2. through E3.1.5., and that they may no longer endorse Chaplains for Military Service. Before taking such action, the AFCB shall give written notice stating the reasons for lack of compliance and shall allow the religious organization concerned a reasonable opportunity to provide a written reply that shall be carefully considered in making a final decision. Review of administrative compliance may be initiated if the religious organization fails to respond to requests by endorsed chaplains for assistance or re-endorsement at times of change of career status or if the AFCB cannot contact the religious organization in a reasonable period of time. Religious organizations informed that they may no longer endorse chaplains due to lack of administrative compliance may resubmit their required documents. The AFCB shall not review the compliance of a religious organization with Reference (a) and this Instruction again until the religious organization completes all administrative requirements. If a religious organization is no longer able to endorse chaplains under this Instruction, all ecclesiastical endorsements issued by that Organization shall be considered withdrawn. Serving chaplains endorsed by that Organization shall be considered to have had their endorsements revoked (paragraph 6.5. applies).

E4. ENCLOSURE 4
FORMAT FOR PROVIDING REQUIRED INFORMATION TO MEET
ADMINISTRATIVE REQUIREMENTS TO ENDORSE CHAPLAINS TO THE
MILITARY DEPARTMENTS

E4.1.1. Religious organizations desiring to endorse RMPs to the military to serve as military chaplains shall forward written notification of such intent to the AFCB in accordance with paragraph E3.1.2.

E4.1.1.1. The written notification may be submitted through traditional hard copy or secure electronic means with verifiable signature.

E4.1.1.2. The written notification shall be submitted on organization letterhead or from an official electronic account capable of secure electronic signature.

E4.1.1.3. The written notification shall include, at a minimum, a statement that meets the requirements of paragraph E3.1.3. and provides the following information in the following order:

E4.1.1.3.1. Name of organization.

E4.1.1.3.2. Address of organization.

E4.1.1.3.3. Name, address, telephonic, and electronic contact for endorsing official.

E4.1.1.3.4. Statement verifying ability of the designated endorsing official to endorse and withdraw endorsement of candidates and Chaplains.

E4.1.1.3.5. Statement verifying the religious organization shall immediately notify the AFCB when changes occur in the status of the organization, designated endorsing agents, or the contact addresses and telephone numbers of either.

E4.1.1.3.6. Signature of responsible official with authority to make such statements on behalf of the organization.

E4.1.1.4. The written statement shall include as enclosures verification of current status as an IRS section 501(c)(3) exempt organization in accordance with subparagraph E3.1.3.1., the Employer Identification Number assigned to the organization by the IRS, and all other enclosures to support this status.

E5. ENCLOSURE 5
FORMAT FOR PROVIDING REQUIRED INFORMATION TO ENDORSE RMPs AS
CHAPLAINS TO THE MILITARY DEPARTMENTS

E5.1.1. Religious organizations submitting required documentation of their first fully qualified RMP to a specific Military Department shall forward the applicant's documentation in accordance with paragraph 6.1. The written documentation shall, at a minimum include:

E5.1.1.1. Application for Appointment: DA Form 61; AF Form 24/Addendum; Navy: NC1100/11.

E5.1.1.2. Application for Active Duty: DA Form 160; AF Form 125, EAD Application (AF Reserve/Guard; Navy Reserve Recall: NP1131/5.

E5.1.1.3. Application Letter requesting Appointment by applicant; (Navy: include in form of applicant "Motivational Statement" if not included in NC1100/11).

E5.1.1.4. Official copy of each Undergraduate and Graduate Transcript.

E5.1.1.5. Statement verifying date of latest National Agency Check or check in progress; SF Form 86, Questionnaire for Security Positions.

E5.1.1.6. Standard Form 88 (Navy: DD2808), Report of Medical Examination and SF Form 93- Report of Medical History (Certified true copies; Navy: DD2807-1); DD Form 2807-2 Medical Pre-screen-AF.

E5.1.1.7. DD Form 368 Conditional Release.

E5.1.1.8. All OPRs/OMPF microfiche or copies of DD Form 214, NGB Form 22, OERs, etc.

E5.1.1.9. Official Photograph; or full body photo.

E5.1.1.10. Birth Certificate and Driver's license.

E5.1.1.11. Credit Check AETC Form 1325-AF.

E5.1.1.12. Chaplain Interview-Army, Navy: NC1100/13; 3 to 5 Letters of Recommendation-AF; Navy: minimum of 3 letters.

E5.1.1.13. Family Member Information Document (Typed on plain bond paper; Biography/Resume).

E5.1.1.14. Certificate of Ecclesiastical Endorsement; Ordination Certificate.

E6. ENCLOSURE 6

DD FORM 2088, "STATEMENT OF ECCLESIASTICAL ENDORSEMENT"

STATEMENT OF ECCLESIASTICAL ENDORSEMENT				OMB Number 0704-0190 OMB approval expires May 31, 2009							
<p>The public reporting burden for this collection of information is estimated to average 45 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services Directorate (0704-0190). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.</p> <p>PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO CHIEF OF CHAPLAINS (ITEM 2).</p>											
PRIVACY ACT STATEMENT											
<p>AUTHORITY: Title 10, U.S. Code, Sections 532 and 12201; EO 9357.</p> <p>PRINCIPAL PURPOSE(S): To verify the professional and ecclesiastical qualifications of Religious Ministry Professionals for initial appointment or chaplains change of career status appointments as chaplains in the Military Service. This form is an essential element of a chaplain's professional qualifications and will become part of a chaplain's military personnel record.</p> <p>ROUTINE USE(S): None.</p> <p>DISCLOSURE: Voluntary; however, failure to provide all the information requested may significantly delay the processing of this endorsement.</p>											
1. FROM											
a. TYPED OR PRINTED NAME OF RELIGIOUS ORGANIZATION GRANTING RELIGIOUS MINISTRY PROFESSIONAL ENDORSEMENT Ecclesiastical Fellowship of Worshippers <div style="text-align: center; font-size: 2em; margin-top: 10px;">A</div>		b. DATE OF CURRENT INTERNAL REVENUE CODE (IRC) 501(c)(3) EXEMPT STATUS 20020101		c. EMPLOYER IDENTIFICATION NUMBER (IRC) 39-1234567							
d. TELEPHONE (Include Area Code) 200-111-2222		e. FAX NUMBER (Include Area Code) 200-111-3333									
f. ADDRESS, (1) STREET (Include apartment or suite number) 123 Main Street		(2) CITY Anytown		(3) STATE OH							
(4) ZIP CODE 40005											
g. E-MAIL ADDRESS fellows@lifethands.net		h. WEB SITE www.lifethands.net									
2. TO											
a. CHIEF OF CHAPLAINS (X appropriate block) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">(1) ARMY</td> <td style="width: 33%; text-align: center;">(2) NAVY</td> <td style="width: 33%; text-align: center;">(3) AIR FORCE</td> </tr> </table>		(1) ARMY	(2) NAVY	(3) AIR FORCE	b. ADDRESS, (1) STREET (Include apartment or suite number) 2511 Jefferson Davis Hwy, Suite 12500 Presidential Towers <div style="text-align: center; font-size: 2em; margin-top: 10px;">M</div>		(3) STATE VA				
(1) ARMY	(2) NAVY	(3) AIR FORCE									
(4) ZIP CODE 22202-3907											
3. APPLICANT INFORMATION. a. IS THIS AN INITIAL ENDORSEMENT? (X one) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/> YES</td> <td style="width: 33%; text-align: center;"><input type="checkbox"/> NO</td> </tr> </table>						<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO				
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO										
b. TYPED OR PRINTED NAME (Last, First, Middle Initial) Chaplain, Wannabee A.		c. SSN 000-00-1111		d. TELEPHONE (Include Area Code) 300-222-3333							
e. ADDRESS, (1) STREET (Include apartment or suite number) 2004 Oak Street		(2) CITY West Lake		(3) STATE VA							
(4) ZIP CODE 24444											
f. E-MAIL ADDRESS wannabee@cxnet.org											
g. NUMBER OF YEARS OF PROFESSIONAL MINISTRY EXPERIENCE APPLICANT HAS COMPLETED 3		h. NUMBER OF MONTHS OF PRIOR ACTIVE MILITARY SERVICE APPLICANT HAS COMPLETED <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">(1) OFFICER 0</td> <td style="width: 50%; text-align: center;">(2) ENLISTED 4</td> </tr> </table>				(1) OFFICER 0	(2) ENLISTED 4				
(1) OFFICER 0	(2) ENLISTED 4										
i. APPLICATION IS FOR (X one) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;"><input checked="" type="checkbox"/> (1) RESERVE (Non-Active Duty)</td> <td style="width: 50%; text-align: center;">(4) EXTENDED ACTIVE DUTY (Indefinite)</td> </tr> <tr> <td style="width: 50%; text-align: center;">(2) NATIONAL GUARD</td> <td style="width: 50%; text-align: center;">(5) REGULAR COMMISSIONED OFFICER</td> </tr> <tr> <td style="width: 50%; text-align: center;">(3) INITIAL ACTIVE DUTY (3 years)</td> <td style="width: 50%; text-align: center;">(6) RESERVE (AGR)</td> </tr> </table>		<input checked="" type="checkbox"/> (1) RESERVE (Non-Active Duty)	(4) EXTENDED ACTIVE DUTY (Indefinite)	(2) NATIONAL GUARD	(5) REGULAR COMMISSIONED OFFICER	(3) INITIAL ACTIVE DUTY (3 years)	(6) RESERVE (AGR)				
<input checked="" type="checkbox"/> (1) RESERVE (Non-Active Duty)	(4) EXTENDED ACTIVE DUTY (Indefinite)										
(2) NATIONAL GUARD	(5) REGULAR COMMISSIONED OFFICER										
(3) INITIAL ACTIVE DUTY (3 years)	(6) RESERVE (AGR)										
4. ECCLESIASTICAL ENDORSING AGENT											
a. AS THE ECCLESIASTICAL ENDORSING AGENT AUTHORIZED TO REPRESENT Ecclesiastical Fellowship of Worshippers <i>(Name of religious organization) (Item 1)</i> I HEREBY VERIFY THE ABOVE APPLICANT TO BE PROFESSIONALLY QUALIFIED AS A RELIGIOUS MINISTRY PROFESSIONAL FOR THE MILITARY CHAPLAINCY.											
b. TYPED OR PRINTED NAME (Last, First, Middle Initial) Scott, Barney T.		c. E-MAIL ADDRESS biscott@lifethands.net									
d. ADDRESS, (1) STREET (Include apartment or suite number) 9876 White House Lane		(2) CITY Sometown		(3) STATE GA							
(4) ZIP CODE 30005											
e. TELEPHONE (Include Area Code) 400-444-5555		f. FAX NUMBER (Include Area Code) 400-444-4444		g. SIGNATURE <div style="text-align: center; font-size: 2em; margin-top: 10px;">E</div>							
h. DATE SIGNED (YYYYMMDD) 20060430											
5. COMMENTS Applicant is a Phi Beta Kappa, graduated cum laude, and is an All-American track star. Exceptional ability and leadership skills.											

Religious Ministry Task Definitions

The United States government has noted that religion is integral to the lives of many military service members and their families. In order to serve the religious needs of service members and their families in such a way as to overcome the inherent institutional barriers to religion posed by military life, the military chaplaincies were created, and deemed to be militarily essential. Governmental responsibility for carrying out an effective program of religious ministry resides with the command. Command religious programs must respond to the following religious ministry requirements:

1. There is a well-defined regulatory obligation to accommodate religion in the military, based on the US Constitution's First Amendment provisions with regard to the free exercise of religion and protection from establishment of religion. (Title 10, DoD policy: DoDD 1300.17, 1304.19; DoDI 1304.28. DON policy: SNI 1730 series, 1120, 1920, Navy Regs 817, 820, OPNAV 1730 series, MCO 1730 series, etc.). There is a well-defined regulatory obligation (US Code Title 10; DoD, Secretary of the Navy, and OPNAV instructions, and Marine Corps orders) to offer access to faith-specific religious support within the boundaries of good order and discipline. (Title 10, DoD policy: DoDD 1300.17, 1304.19; DoDI 1304.28. DON policy: SNI 1730 series, 1120, 1920, Navy Regs 817, 820, OPNAV 1730 series, MCO 1730 series, etc.)
Corresponding capabilities: Facilitate and Provide
2. There is a moral responsibility on the part of the government to make a good faith effort to meet the human needs of service members. With regard to those issues caused by military service, that responsibility is best carried out through relationships based on trust and the shared experience of service. (Title 10; DoDD 1300.17, 1304.19; DoDI 1304.28. DON policy: SNI 1730 series, 1120, 1920, Navy Regs 820, 1131, OPNAV 1730 series, MCO 1730 series, family support instructions)
Corresponding capability: Care
3. Commanders and the chain of command need trusted advice with regard to how the above requirements can best be served. Commanders also need advice on religion and the mission. (Title 10; DoDD 1300.17, 1304.19; DoDI 1304.28. DON policy: SNI 1730 series, 1120, 1920, Navy Regs, OPNAV 1730 series, MCO 1730 series, etc.)
Corresponding capability: Advise

The Navy Chaplain Corps has identified the following capabilities as responsive to the requirements: facilitate, provide, care, and advise. Each of these capabilities, in turn, has been delineated in specific tasks, defined herein.

When filling out the model, bear in mind the following question: how much time would it take an average RP/chaplain to achieve an acceptable level of effectiveness in the task.

Religious Ministry Tasks sorted by Capability

Distinguishing between “Facilitate” “Provide” and “Accommodate”:

Provide = chaplain personal leadership of divine services and personal ministry to meet faith group specific needs for religious/pastoral counsel, scripture study, and religious education.

Facilitate = all efforts to organize and support religious ministry, where the services delivered are not conducted personally by chaplains according to the tenets of their faith.

Accommodation = for our purposes, the constitutional and regulatory religious requirement identified in #1 above, to which the DoN has responded with CHC capabilities to facilitate and provide.

Facilitate: Chaplains and RPs manage and execute command religious programs (CRP) that accommodate diverse religious ministry requirements. Accommodation of individual and collective religious ministry requirements includes, but is not limited to, scheduling, coordinating, budgeting, and contracting.

Identification of authorized personnel to be served by CRP

Religious preferences of command personnel, as well as groups outside the command to be served by the reporting RMT (other uniformed personnel, veterans, retirees, family members, contract personnel, DoD civilians).

Identification of religious requirements

The process of identifying religious requirements (using a BSO-approved needs assessment surveys), including personnel faith group preferences (identified in needs assessment), observance practices, accommodation concerns, and support needs. Command validation (approval) is part of the process, as are identification of resources within and beyond the command, and coordination of delivery of services within and across command lines.

Facilities maintenance/Equipping

Identifying, procuring, and maintaining facilities and equipment needed to support the CRP. Managing real property repair and maintenance, equipment acquisition, supplies.

Programming

Development of programs and strategies to facilitate individual and group religious expression and promote an environment of understanding and respect for the varieties of individual and group religious expression. Preparation of written plans for accommodation of religious practices and holy day observances. Scheduling, procurement of consumable supplies, identification of outside chaplain support, and related support activities.

Organizing religious services support

Oversight of lay leader, other chaplain, civilian, and/or contractor support; facilities availability and upkeep; supplies, publicity and related functions. Facilitation, scheduling, and monitoring of worship services (that the chaplain is not providing personally).

Cooperative ministry

Organizing of cooperative ministry with other RMTs to coordinate accommodation of the religious needs of authorized personnel in a defined geographical or operational area.

Civilian liaison

Identify, assess, and liaison with civilian religious and community organizations to enhance religious life within the military community by identifying a broad range of religious opportunities.

Lay leader program

Conduct of lay leader recruitment, training, certification and supervision in support of deployments, field exercises, and other operational contingencies where access to religious services may be limited and in response to identified religious requirements. Maintenance of a record of current and potential lay leaders by faith group.

Contractors

Development of contracts for religious services. Oversight of contractor service delivery.

Volunteers

Identification, training, and supervision of volunteers in support of the CRP. Volunteers may include choir and other musicians, altar servers, teachers, ministry group leaders, children's activities support, readers, and others.

Command functions with religious elements (eg changes of command, retirements, history/heritage events, some memorial observances which are not explicitly public worship)

When command functions occur outside the context of the manner and forms of specific religious organizations, consultation with the command wrt their purpose, audience, and expectations. Delivery of appropriate support to the command function (invocation, benediction, remarks, etc.)

Provide: Based upon their professional credentials, ecclesiastically endorsed and commissioned Chaplains personally meet faith group specific needs, including worship services, sacraments, rites, and ordinances. Faith group specific needs include religious/pastoral counsel, scripture study, and religious education. RPs are specially trained to support religious accommodation.

Religious services

Planning, scheduling, preparation for, and conduct of, worship services in accordance with the chaplain's religious organization's manner and forms, to include daily, weekly, special, seasonal, and appointed occasions, funerals, faith-specific memorial services and burials, sacramental acts, ordinances, rites, dedications, ceremonies, weddings, rituals, and other spiritual acts.

Cooperative ministry

Personal participation in leadership of divine services as part of cooperative ministry to provide for the religious needs of authorized personnel in a defined geographical or operational area outside the command lines to which the chaplain is assigned.

Spiritual counseling/direction

Faith-based counseling, mentoring, sacramental ministration, and spiritual direction, based on theologically derived truths, designed to enhance, grow, and strengthen faith (including: character development, morals, personal responsibility, community solidarity, resiliency, cross-cultural awareness, stress management, coping skills, and grief processing) to individuals and groups of Sailors and Marines. Includes efforts to safeguard confidentiality.

Scripture/religious study

Group and/or individual faith-based instruction derived from the documents and practices of religious organizations designed to strengthen and grow people in their faith.

Faith-based life skills training

Development and delivery of training from a religious perspective on marriage, child rearing, relationships, ethics, personal and spiritual well-being, crisis and suicide prevention, domestic violence, values, character development, and other moral issues.

Preparation for sacraments/ordinances/rites

Planning, coordination, delivery, support, record-keeping, and reporting of faith-specific preparation as required by religious organizations.

Faith-based Relationship/Marriage Enhancement Preparation

Planning and conduct of relationship enhancement and/or marriage preparation according to faith-specific programs (e.g. Christian PREP).

Command functions with religious elements (e.g. memorials, ceremonies, etc.)

When called upon, delivery of context-appropriate, faith-specific, support for command functions with religious elements (prayer, hymns, sermon, etc.) which are explicitly public worship.

Outreach (religion-based)

Development, planning, and coordination of programs to encourage participation in religious ministries. Delivery of personal and spiritual growth programs to include retreats. Coordination of opportunities within the civilian community for the expression of religious and humanitarian charity by members of the military. Preparation and publishing of outreach-oriented religious communications for the benefit of military members. Planning and support to chapel fellowship programs. Participation in cooperative ministry with other RMTs to provide outreach in a defined geographical or operational area.

Care: Chaplains are uniquely chartered to deliver institutional care, counseling, and coaching which attends to personal and relational needs outside of a faith group specific context. This includes relational counseling by chaplains in the context of their proximity and immediate presence, distinguished by confidentiality, and imbued with professional wisdom and a genuine respect for human beings. Such counseling is most effective in dealing with stress caused by military service when based on strong relationships developed in the context of the shared experience of the military and life in the same unit. Examples of care include deck plate ministry, counseling, coaching on military life, pre- and post-deployment training for Sailors, Marines, and their families, crisis prevention and response, the CREDO program, memorial observances, and combat casualty ministry. RPs are uniquely trained and positioned to support the delivery of care individually and programmatically.

Counseling

Delivery of relational counseling which is based on the trust gained by a shared experience of military service, characterized by confidentiality and mutual respect, and designed to develop and strengthen core values and personal responsibility in people whether or not they profess a particular faith background (walk-in, AMCROSS, emergency leave, mentoring, etc). Includes efforts to safeguard confidentiality.

Crisis response

Pastoral intervention in any disruptive event in the lives of command personnel, singularly or collectively, to include response to Red Cross messages, care for the wounded and/or dying, personal, family, professional, interpersonal, and other crises, for the purpose of offering support, advice, comfort, and/or referral. This would include plans in place to respond to mass casualties, natural disasters, and/or command emergencies. Includes participation in Unit/Force/Regional Chaplain and RP Duty watch bills.

CACO (Casualty Assistance calls)

Specific efforts in support of Casualty Assistance Call Officers and calls, to include initial and follow up visits with the bereaved. Ongoing support for the command should be captured in other categories.

Deck plate ministry

RMT frequent and regular participation in the daily life of the command, to include pastoral visitation to, and presence in, workspaces, at training evolutions, field exercises, and other such command functions. Also includes visitations (barracks, hospitals, confinement facilities, residences, etc.). Includes safeguarding of confidentiality.

Crisis prevention

Support of command prevention efforts in areas such as suicide, domestic violence, substance abuse, sexual assault, Combat Operational Stress Control (COSC) and other identified foci, through delivery of lectures, classes, talks, training or other forms of communication.

Spouse/child/family support

Counseling, training, advice, comfort, and support delivered programmatically to spouses, children, and/or family members individually, as families, or in larger groups. This includes support for command organizations focused on spouse/child/family support, such as Key Volunteers, Spouses organizations, Ombudsmen, United through Reading, COMPASS, LINKS, etc.

Life skills training

Assistance to the command in development and delivery of training and programs designed to address the unique stressors of military service by strengthening core values, developing character, morals, personal responsibility, community solidarity, resiliency, cross-cultural awareness, stress management, coping skills, and grief processing to individuals and groups.

Deployment

Delivery of deployment support (e.g. pre/mid/post deployment, warrior transition), to meet the physical, emotional, or spiritual needs associated with separation. This would include advice, comfort and/or referral delivered individually and/or for groups.

Core values education/training

Assistance to the command in the development and delivery of training and/or classes specifically designed to familiarize and strengthen commitment to Navy Core Values.

Marriage/Relationship Enhancement Preparation

Delivery of marriage preparation program (e.g. secular PREP).

CREDO programs

Support for the full range of CREDO programs to include planning, facilitation, publicity, and any other support.

Command Diversity initiatives (heritage observances)

Assistance to the command in development and delivery of diversity programs, including monthly heritage/history observances and special events.

Advise: Chaplains advise commanders and other leaders on religious accommodation and issues relating to morals, ethics, spiritual well being, and morale. Within the boundaries of their noncombatant status, chaplains advise commanders on the impact of the CRP on the command and command climate. Some chaplains are trained to advise on the impact of religion on military operations. Chaplains also advise leaders at all levels of the chain of command in moral and ethical decision making, cultural awareness, conflict resolution, and cross-cultural communications, supported by RPs who are integral to the effort.

Assessment of the impact of religious accommodation (facilitation and provision) and the CRP on the command and operations

Assessment of the command and advisement of the commander and other leaders in the chain of command on issues related to free exercise and establishment of religion, and religious accommodation to include personal and family spiritual readiness, religious

discrimination, and cooperative ministry across chains of command. Advice to the command on policy and doctrine with regard to accommodation generally, and specific accommodation issues identified for command personnel in particular.

Assessment of the impact of religion on operations

At the tactical, operational and strategic levels of war, advice on religious and/or cultural issues (external to the command) related to unit operations.

Conflict resolution (within command)

Utilization of pastoral skills and wisdom to offer advice to leaders which enhances cooperation, defuses personality conflicts, and contributes to leadership effectiveness.

Moral advice

Advising members of the chain of command on issues of right and wrong. Fostering a climate of fairness, trust, and accountability.

Ethical advice

Advising the commander on the ethical implications of command policies, decisions, trends, and situations. Advice to leaders at all levels on the ethical implications of leadership styles and strategies, and on ethical decision-making practices.

Morale advice

When and where appropriate, reporting on morale, and/or suggesting improvements to quality of service to include issues related to quality of life, quality of work life, human values, unit enhancement, retention, personnel, and family issues.

OCONUS COMRELs (as part of Theater Security Cooperation)

Advising the commander (as directed) as he/she assists the combatant commander in development of community relations projects which are components of the TSC program.

Key Leader Liaison

As part of the TSC program, assistance to the command (as directed) in engagement with local religious leaders to enhance communication and understanding (without violating noncombatant status).

Interagency

As directed, assistance to the command in liaison with outside agencies (governmental, NGO, PVO, etc.), host nation, and civilian-military operations support.

Supervision

Manning

Staffing force structure, identifying and filling CRP manpower requirements. Develop contracts. Coordinate and schedule personnel.

Training

Development and delivery of, and participation in, religious ministry training and education opportunities (PDTCs, PDTWs, local RELMIN training, etc.)

Certification programs

Preparation for readiness inspection and certification. At appropriate echelons, planning and execution of inspection regimes to confirm the training and provide the certification of constituent units, in alignment with DoN and CHC standards. Reporting results appropriately. Remediation.

Processing/triage/referrals

Evaluation, stabilization, and referral of walk-ins and others requesting services to determine needs, while safeguarding confidentiality.

Planning

Development and coordination of religious ministry annexes for operational plans. Development of SOPs for the various portions of the CRP. Analysis of religious ministry requirements and development of appropriate strategies for utilization of resources, coordination of support, and appropriate interface with other CRPs, in order to most effectively and efficiently deliver ministry. Identification and reporting of requirements (including CHC, FMF, joint, and coalition)

Religious Offering Funds

Planning, coordination, training, implementation and maintenance of the ROF where authorized.

Performance and professional assessment of RPs and Chaplains

Includes preparation and briefing of fitness reports, evaluations, professional counseling, leadership/talent identification and development.

Total Force requirements

All interaction with Reserve Component. Planning for ADSW, drill, etc. Maintaining communications. Planning utilization for contingencies. Ensuring seamlessness.

Watchbills

Development, coordination, and/or monitoring of watchbills for Unit/Force/Regional Chaplain and/or RP Duty Watch bills.

CONUS COMRELs

Assisting the command in organizing and coordinating helping/philanthropic activities by members on behalf of local communities and/or citizens, for the edification of participants and enhancement of command-community relations.

Conscientious Objectors

Advice, evaluation, documentation, and recommendations regarding conscientious objection applications.

Hardship discharge/HUMS

Advice, evaluation, documentation, and recommendations for application for reassignment/separation due to humanitarian and/or hardship reasons.

Humanitarian Assistance/Disaster Relief

Participation in planning for contingencies. Execution of plans when appropriate.

Coordination for “ecclesiastical visitors”

Assistance to the command in hosting special visitors.

Chaplain Corps responsibilities

Support of CHC community evolutions, to include preparation, attendance, assignment completion, follow-up, and reporting. Meetings (e.g. Sea Warrior Ministry Council, RROC, SLS). CHC recruiting efforts (identify referrals, visit seminaries, mentor CCPOs).

Endorser requirements

Preparation of reports, attendance and/or participation in classes, conferences, and meetings, religious actions, etc., in support of endorser requirements.

Tiger cruises

Assisting the command in hosting guests for tiger cruise.

Burial at sea (admin)

Administrative responsibilities associated with burial at sea.

Project Good Neighbor

Administrative and other responsibilities associated with planning and execution of PGN.

Monitoring compliance for “supervision” capability

Compliance with DRRS reporting protocols. Compliance with all CRP and other inspection protocols. For supervisors: ensuring that subordinate command CRPs are reporting compliance data in the appropriate collection systems (DRRS, CHC).

Measuring performance for “supervision” capability

Collection of data required by reporting regimes. For supervisors: collection and analysis of data on subordinate units as required, and reporting up the chain. Compliance with all recording and reporting protocols, inspection regimes, data collection, management, and reporting requirements, customer and command satisfaction surveys, and any other data calls.

Monitoring Compliance for “facilitate” capability

Systematic monitoring and reporting of volunteer, lay leader, contractor, and outside chaplain activities in support of all command religious accommodation efforts. Compliance with DRRS reporting protocols. Compliance with all CRP and other

inspection protocols. Ensuring that subordinate command CRPs are reporting compliance data in the appropriate data collection systems (DRRS, CHC).

Measuring performance for “facilitate” capability

Compliance with all reporting requirements, to include data entry, record keeping, and CHC data base inputs. Routing and filing of reports as required. For supervisors: collection and analysis of data on subordinate units as required, and reports up the chain.

Monitoring compliance for “provide” capability

Compliance with DRRS reporting protocols. Compliance with all CRP and other inspection protocols. Ensuring that subordinate command CRPs are reporting compliance data in the appropriate collection systems (DRRS, CHC).

Measuring performance for “provide” capability

Compliance with all recording and reporting requirements, inspection regimes, data collection protocols, required surveys, including those of customer and command satisfaction. For supervisors: collection and analysis of data on subordinate units as required, and reporting up the chain.

Monitoring compliance for “care” capability

Compliance with DRRS reporting protocols. Compliance with all CRP and other inspection protocols. For supervisors, ensuring that subordinate command CRPs are reporting compliance data in the appropriate collection systems (DRRS, CHC).

Measuring performance for “care” capability

Tracking usage of services. Compliance with all recording and reporting protocols, inspection regimes, data collection, management, and reporting requirements, customer and command satisfaction surveys, and any other data calls. For supervisors: collection and analysis of data on subordinate units as required, and reporting up the chain.

Monitoring Compliance for “advise” capability

Compliance with DRRS reporting protocols. Compliance with all CRP and other inspection protocols. Ensuring that subordinate command CRPs are reporting compliance data in the appropriate collection systems (DRRS, CHC).

Measuring Performance for “advise” capability

Tracking usage of services. Compliance with all recording and reporting protocols, inspection regimes, data collection, management, and reporting requirements, customer and command satisfaction surveys, and any other data calls. For supervisors: collection and analysis of data on subordinate units as required, and reporting up the chain.